United Nations S/PV.6722

Security Council

Sixty-seventh year

Provisional

6722nd meeting

Thursday, 23 February 2012, 10.35 a.m.

New York

President:	Mr. Ohin	(Togo)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Briens
	Germany	Mr. Berger
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Karev
	South Africa	Mr. Mashabane
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

Women and peace and security

Report of the Secretary-General on conflict-related sexual violence (S/2012/33)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-23931 (E)

Please recycle

The meeting was called to order at 10.30 a.m.

Adoption of the agenda

The agenda was adopted.

Women and peace and security

Report of the Secretary-General on conflict-related sexual violence (S/2012/33)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representatives of Afghanistan, Armenia, Australia, Bangladesh, Belgium, Botswana, Brazil, Canada, Egypt, El Salvador, Estonia, Indonesia, Ireland, the Islamic Republic of Iran, Israel, Italy, Japan, Kenya, Luxembourg, Mexico, Nepal, Peru, the Republic of Korea, Spain, Sri Lanka, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, Tunisia and Viet Nam to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Amina Megheirbi, representative of the NGO Working Group on Women, Peace and Security, to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite His Excellency Mr. Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/33, which contains the report of the Secretary-General on conflict-related sexual violence.

I now give the floor to Ms. Wallström.

Ms. Wallström: On the morning of 30 September 2009, two dramatically different events took place. One — which Council members are all familiar with — was the adoption of resolution 1888 (2009) creating the mandate of a United Nations Special Representative on Sexual Violence in Conflict. The other was a demonstration just outside the United Nations complex, condemning mass rape by security forces in the small West African nation of Guinea.

As the Council reached consensus on new measures to combat sexual violence, beyond the Chamber protesters decried yet more premeditated mass rape. As world public opinion applauded the commitments of this body, international headlines told of soldiers raping in broad daylight. Some Council members noted the connection between resolution 1888 (2009) and the use of rape to suppress a peaceful rally in Guinea-Conakry. They noted that when rape is part of the repertoire of conflict or political coercion, it is a form of collective violence that can threaten collective peace and security.

I would like to congratulate the Council on its groundbreaking consideration of that issue over the past three years, and to thank the presidency of Togo for convening today's debate. It is a chance to take stock of a fundamental question, namely, whether the gap between what is said in the Chamber and what happens in the world beyond has narrowed.

Last November, I went to Guinea to meet with the survivors. A young woman, who had been gang-raped and left for dead after joining the demonstration, recalled the chilling words of one soldier: "You wanted power — this is what you will get". What was striking to me was not how many women had been scarred by that atrocity, but how many have stood back up, organized and dared to tell their stories. Their demands for recognition, justice and the removal of perpetrators from positions of power are now reflected in a joint communiqué that the Government has signed with the United Nations.

Earlier this month, a Guinean panel of judges charged Lieutenant Colonel Moussa Tiegboro Camara for his alleged role in the atrocities. That is progress. It signals to the survivors that, while justice may have been delayed, it cannot be denied. In that respect, the report before the Council today (S/2012/33) is already partly out of date. It calls upon the Guinean authorities to take action against Camara. In the time between

issuing the report and today's debate, they have done so.

However, of course, conflict-related sexual violence is not specific to one country or continent. It is a global risk. The terror of unarmed women facing armed men is age-old and universal. The Security Council has led the way in recognizing that rape can acquire a strategic twist as a tactic of war. Today, there is broad recognition that the more brutal and shocking the crime, the more effectively it terrorizes communities into submission and lends notoriety to groups vying for power.

The terms of the debate have shifted from reacting to sexual violence, like any other tragedy, to preventing it, like any other threat. Instead of talking about women's wartime suffering year after year after year, protection mechanisms have been established. Instead of seeing the same few women in meeting after meeting, we are building a broad coalition.

The circle of stakeholders now extends to peacekeepers, peacemakers, war crimes prosecutors and the full range of protection actors. After all, it is at the moment of negotiating a peace deal, signing a ceasefire, training troops and sending peacekeepers on patrol that such resolutions have a real-world impact. In short, the Council has ushered in an ideological shift. When it takes notice, others do as well.

A decade ago, my mandate to be present in the Chamber, addressing this subject, would have seemed improbable. Yet the Council has kept pace with the changing dynamics of conflict. In contemporary wars, it has become more dangerous to be a woman fetching water or collecting firewood than to be a fighter on the front line. Wars have entered the marketplaces where women trade; they follow children en route to school; and haunt the prison cells where political activists are detained. Accordingly, the Council has embraced a view of security that includes the physical integrity and perspectives of women. During my visits to countries of concern, I have promised to bridge the voices of those women to the work of this body. At the political level, such visits can initiate a dialogue for civilian protection commitments.

My aim is to remain relevant to the Security Council and to ensure that the mandate adds value to its work. Resolution 1888 (2009) also created the Team of Experts on the Rule of Law and Sexual Violence in Conflict, which is currently supporting initiatives of the Governments of Guinea, Liberia, South Sudan and the Democratic Republic of the Congo to combat impunity. It is clear that, now more than ever, we have the tools to succeed.

One such tool is the report being debated today. It provides striking examples of sexual violence as a threat to security and an impediment to peacebuilding. No one can read that report and remain unmoved. But, as many participants have asked me, what does it mean to appear in the Secretary-General's report? I would like to address that head-on by highlighting three key implications.

First, the report, based on United Nations-verified information, is an instrument in the hands of political leaders to help them track and address sexual violence that is linked with insecurity. It cites illustrative incidents that point to larger patterns. As the new monitoring, analysis and reporting arrangements mature, they will yield a deeper evidence base for action.

Secondly, it does not highlight only horror stories. Such reports are a place to feature the stories of actions that have made a difference, such as enforcing command responsibility and vetting perpetrators from the security forces. It is in the interests of every Government to ensure that the national uniform symbolizes professionalism, discipline and service, not rape, pillage and terror.

The third point is that it provides a baseline for systematic engagement with parties to armed conflict, with the consent and partnership of Governments. Such reports are vehicles for putting names to some of history's complex horrors. The acts of sexual torture and terror recorded here are not inevitable by-products of war, but crimes committed by combatants and their commanders. The fog of war does not absolve them of their responsibilities.

The report is also a historical record. This is critical, as the history of rape has been a history of denial. What explains the suppression of these stories? Perhaps the fact that it is the victim, not the attacker, who is often shamed and stigmatized, that society is more likely to pass judgement than to deliver justice. Perhaps it is because rape has been treated as a lesser evil in a context of lethal violence, or traded away by negotiating parties as the price of peace. Whatever the explanation, every speaker who adds his or her voice to

this debate is helping to end centuries of silence that have made rape an effective secret weapon.

From the Congo to Cambodia, from Bosnia to Liberia, these crimes have been neglected at the peace table and stricken from the public record. In Bosnia, I met with women who had survived the hell of rape camps in the early 1990s. Sixteen years later, I expected to talk about memorials and remembrance. I expected to talk about women's political power and economic recovery. But what we talked about was the rapes that these women are living and reliving every day, as if it were yesterday. The lack of redress and justice is staggering. An estimated 50,000 rapes have led to just 30 prosecutions. When Bosnia was on the Security Council, it recognized this painful reality and actively championed resolution 1960 (2010).

In Cambodia last year, women organized an informal hearing to spotlight sexual violence during the Khmer Rouge era, which has been left unaddressed by formal mechanisms. Collectively, they broke over thirty years of silence. I have urged the Governments of both Bosnia and Cambodia to deliver justice for these victims. In Rwanda, children born of rape are coming of age and trying to find their place in society.

So rape is not over when it is over. The point is to better understand conflict-related sexual violence and its consequences, to give rape a history in order to deny it a future.

At its heart, resolution 1960 (2010) is about prevention. It creates, for the first time, a workable system of deterrence and accountability in response to conflict-related sexual violence. This compliance regime includes a listing option as leverage.

In relation to other protection issues, such as ending the recruitment of child soldiers, the practice of listing has yielded tangible results. Expanding the naming and shaming list on children to those credibly suspected of patterns of sexual violence against adult women and men has made the approach comprehensive and the message to armed groups clear. The point is to cease all acts of rape, whether the victim is 8, 18 or 80.

I will never forget the story of an elderly woman I met in eastern Democratic Republic of the Congo, who told me that she had felt secure in the belief that she was too old to be raped, that she could be the soldier's grandmother. But that did not protect her.

While not a panacea, the list is an important tool. It reminds those who commit, command or condone sexual violence that they can no longer sleep easily at night under the cover of impunity and anonymity. The practice of listing shows that this is not just a war of words. Yes, preventive diplomacy is important. And yes, zero-tolerance policies matter. But ultimately, rape must carry consequences. Some have said this exercise is too optimistic, too ambitious. But surely we must bring all measures to bear in addressing this scourge.

The vision is to create conditions in which armed groups see sexual violence as a liability that will invite national and international scrutiny and censure unless concrete measures are taken. These measures are outlined in resolution 1960 (2010) as a basis for delisting. They include the issuance of orders through chains of command and the prohibition of sexual violence in codes of conduct, as well as timely investigation of alleged abuses to hold perpetrators accountable. A command structure with the capacity to sustain military operations and to punish deserters has the capacity to rein in acts of rape.

Those who tolerate sexual terror should be on notice that they do so in defiance of the Security Council, with its power to enact enforcement measures. In the case of Côte d'Ivoire, for example, this means the militiamen who threatened to burn women alive if they resisted rape. They know why they appear in this list. The Council has signalled its intention to consider sexual violence when establishing or renewing sanctions regimes. Exemplary action has already been taken by the Sanctions Committee for the Democratic Republic of Congo with regard to Mai-Mai leader Ntabo Ntaberi Sheka. This sends a powerful message to others.

As a frame of reference, the term "conflict-related sexual violence" has been critical in channelling relevant information from the country level to the Security Council. This framing mirrors the resolutions by focusing on violence that has a nexus with peace and security, rather than on isolated incidents.

Isolated acts of rape occur in all societies, in times of war and of peace. These crimes need to be addressed by the national law-and-order machinery. However, when sexual violence is driven by the dynamics of conflict, is widespread or systematic, constitutes a grave breach of international

humanitarian law, or is used for military or political gain, it also warrants consideration by this body, in line with its competence under the Charter of the United Nations.

As a process of intimidation, targeted rape is often a precursor to conflict, as well as the last weapon to be relinquished in its wake. It is important not to exclude from consideration sexual violence that continues after the guns fall silent. Sexual violence that is normalized, owing to impunity, or committed by recently demobilized combatants is also a security issue that requires a security response.

Such violence subverts efforts to cement the peace. We know that a ceasefire does not mean peace for women if the shooting ceases but the rapes continue unchecked. Such violence should be included in the definition of a ceasefire and in the monitoring provisions. Monitoring teams must be gender balanced, not gender blind. But to date, just three ceasefire agreements have included sexual violence. The new guidance for mediators on addressing conflict-related sexual violence, developed by Department of Political Affairs, will fill an analytical and practical gap.

Modern history attests that post-war rarely means post-rape. In Liberia, I have seen how sexual violence during the civil war left a profound imprint on society. Addressing that legacy is not just a moral, but an operational, imperative. It is a credibility test for the nascent military and police forces. To echo what has been said so often within these walls, impunity fuels the vicious cycle of violence. Peace is not only the absence of conflict, but the presence of justice.

Nor can we overlook the use or threat of sexual violence as a tool of political repression and civil strife. That would negate the promise of prevention. Politically motivated rape is a disturbing trend witnessed in the wake of contested elections in places such as Kenya, Guinea and Côte d'Ivoire. It has also been part of political violence in Libya, Syria and Egypt.

In relation to Syria, the Secretary-General has expressed concern about the sexual abuse of men in detention as a method of extracting intelligence. In Libya, United Nations information indicates a pattern of women being abducted from their homes, cars and streets and subjected to repeated rape during the conflict. Yet survivors are coming forward only in cases of urgent medical need. In the words of one Libyan victim, "If the bleeding had stopped, I would never have reported it."

This underscores that we cannot wait for hard data to surface before taking action. The relationship between incidents and reports of wartime rape is like the relationship between the tip of an iceberg and its mass. Only the extremity is visible. I trust that the Council's forthcoming resolution on Libya will explicitly mention the need to address sexual violence. A critical test of the National Transitional Council will be its willingness to investigate violations by both sides in the conflict and to ensure comprehensive services for survivors.

Due to the blame, shame and stigma, most survivors still have more to lose than to gain from reporting rape. Improved data collection is therefore inextricably linked to improved assistance. Our primary focus must always be needs, rather than numbers. Data is not an end in itself, but an evidence base for action.

And we must deliver as one. I am proud to Chair the inter-agency network United Nations Action against Sexual Violence in Conflict. United Nations Action has provided strategic support at the country level and catalyzed joint initiatives in close partnership with the Department of Peacekeeping Operations and UN-Women, such as scenario-based training for peacekeepers.

But in terms of response, for too long we have been too late. The United Nations system is working to become better attuned to the red flags and early warning signs. Rape is not a fact of human history, like disease or drought; it is often planned and therefore predictable. United Nations Action has scanned past conflicts to compile the United Nations Matrix of Early-Warning Indicators of Conflict-Related Sexual Violence to equip monitors to identify and prevent spikes.

This analysis also sheds light on the roots of wartime rape. For instance, the proliferation of small arms and light weapons enable these atrocities. As many women have told me: "That man had the gun and he had the power". Sexual violence is often perpetuated by incomplete disarmament and the absence of vetting, training and security sector reform. For example, in Somalia, a practice has recently been detected of national security forces renting out their uniforms to civilians by night, which facilitates rape. Such patterns

must be met with disciplinary measures. We also know that militarized mining can fuel human rights violations by enriching armed groups, for instance in the Democratic Republic of the Congo.

The Council has understood that there can be no security without women's security. The aim is not only to protect women from violence; it is to protect them to participate in public and economic life. Rape has a chilling effect on women's political participation, casting a long shadow of trauma and terror. It can inhibit their access to polling booths and public squares. We must send a message that women's lives, votes and voices count and will be counted.

Certainly, the women I have met cannot be caricatured as passive victims. They have fought daily wars — not for medals and monuments, but battles for bread, to feed their children and to make their presence felt. I am particularly concerned, at this historical juncture, that unless women can shape their own political and personal destiny, the Arab Spring will turn into a winter for Arab women.

While sexual violence disproportionately affects women and girls, men and boys also number among the direct and indirect victims. We need to ensure that our interventions are gender-responsive and community-based.

In the wake of war, the aim is not just to build back, but to build back better. That means addressing pre-existing injustice and inequality. What we have already achieved gives us hope. The action of this Council tells survivors that their lives matter. It also tells perpetrators — and potential perpetrators — that war does not give license to rape. The world is watching.

I would like to conclude by taking a step back from the technical and operational details that often consume us, to simply recall that the Council has changed the way we think about rape. From the 1907 Hague Convention, which gave wartime rape a glancing reference as a crime against family honour, sexual violence is now seen as a self-standing threat to security. This has validated the experience of survivors. And in the end, that kind of transformation is what this work is all about.

I thank members for listening, and I look forward to the debate.

The President (*spoke in French*): I thank Ms. Wallström for her briefing.

I now give the floor to Mr. Ladsous.

Mr. Ladsous (*spoke in French*): At the outset, I would like to thank the Government of Togo for convening this important debate today. It provides me with an opportunity to inform members of the Security Council of our joint efforts and the challenges that we encounter as we implement this extremely significant mandate.

The mandate related to sexual violence in situations of armed conflict is one of the most demanding in peacekeeping. The Department of Peacekeeping Operations (DPKO) and the Department of Field Support (DFS) remain deeply concerned that, despite universal and repeated condemnation, sexual violence continues to be used as a tactic of war, in particular against women and children.

We greatly appreciate the political advocacy and leadership of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Wallström, in heading the United Nations Action against Sexual Violence in Conflict. During the past year, collaboration between my Department, Special Representative Wallström, the Office of the United Nations High Commissioner for Human Rights and United Nations Action has been strengthened. Thanks to these partnerships, we are continuing to produce concrete results.

Since last year's debate, we have worked with the Office of Ms. Wallström and the Office of the United Nations High Commissioner of Human Rights to develop terms of reference for women's protection advisers. A tripartite approach has been adopted in the context of the advisers by placing them in gender and human rights organizations and in the Office of the Special Representative of the Secretary-General in the relevant peacekeeping operations to facilitate cooperation. This approach maximizes existing capacities in the field and avoids fragmentation and duplication of responsibilities.

Several peacekeeping operations were selected and invited to identify women's protection advisers within the limits of existing resources. However, in cases of conflict-related sexual violence on a major scale, additional resources should be made available to deal with the high volume of work. Our efforts to

identify and deploy advisers are currently focused on United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the United Nations Operation in Côte d'Ivoire and the United Nations Mission in South Sudan.

In 2011, the Office of Special Representative Wallström and United Nations Action developed guidelines on the monitoring, analysis and reporting arrangements. The human rights structures in our peacekeeping operations direct monitoring and verification, in close collaboration with other mission components and the members of the United Nations country team.

While the arrangements are not an end in themselves, they should contribute towards a better prevention and programming policy response. There remain challenges that we are trying to address: mobilizing capacities to implement the arrangements; ensuring the presence of uniformed women in affected areas to reach out to women and girls; and addressing inadequate infrastructure and communications to gain access to important regions to monitor and verify incidents. Ultimately, impunity, scarce services in rural areas and insecurity deter survivors from reporting the sexual violence to which they have been subjected.

The DPKO and the Department of Field Support stand ready to provide the necessary support to encourage Governments to institutionalize the prohibition and prevention of and accountability for conflict-related sexual violence through the development of policies and national security sector training. We must recognize the close links between time-bound commitments and security sector development. Meticulous and systematic assessments of armed groups must be part of any integration policy in national forces.

We are proud to be an active member of the United Nations Team of Experts on the Rule of Law and Sexual Violence in Conflict established pursuant to Security Council resolution 1888 (2009). Accountability for sexual violence must be established to combat sexual discrimination and inequality. The reform of existing legislation, access to a functional justice system and witness protection programmes are fundamental.

Political will is also essential to ensure that perpetrators of international human rights and humanitarian law violations, including sexual violence, are tried and held accountable. The rule of law as a whole must prevail, by means of security and judicial sectors, including correctional systems.

In that regard, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) has worked with civil society and women in particular to ensure that the Doha Document for Peace in Darfur included provisions for the Government of the Sudan to take the steps necessary to deliver effective and timely justice for serious human rights violations, including sexual violence, and to prevent amnesty in cases of crimes of sexual violence.

(*spoke in English*)

Progress has also been made in the Democratic Republic of the Congo, where MONUSCO supports civilian and military prosecutors in investigating allegations of conflict-related sexual violence. In 2010 and 2011, MONUSCO undertook more than 30 joint investigation team missions with magistrates and police officers to investigate cases of sexual violence. MONUSCO also supported the holding of trials, so as to strengthen the military justice system, including through mobile court proceedings in remote areas. As a result, 217 judgments on sexual violence were delivered in 2011. MONUSCO and partners also support 39 legal centres, which provide free legal assistance to survivors of sexual violence and to their families. In 2011 more than 2,200 survivors received assistance.

May I add that when I was in the Democratic Republic of the Congo a month ago I visited an incredible place in Goma named Heal Africa. It is a hospital primarily devoted to treating victims of rape, physically and psychologically, as well as to teaching them trades for them to live on after they leave the facility. It is through just that type of clinic that we can have a positive impact on the lives of unfortunate victims. We should encourage such projects.

Capacity-building is an important element of the sexual violence mandate, which we are carrying out in support of host Governments and within our missions. For example, in Timor-Leste, Liberia, Haiti and Darfur, United Nations police work in support of the national police to develop dedicated spaces to receive survivors of sexual and gender-based violence. For example, three such spaces are being launched this month in at-risk camps in Haiti. To that end, the Police Division is working with police-contributing countries to develop

training and trainer modules to standardize the prevention and investigation of sexual and gender-based violence in post-conflict environments, for United Nations police and national police forces. In the course of last year, 103 police trainers were certified through five regional training courses.

To capacitate our military components, we have developed training modules, in consultation with Member States, to accompany the military gender guidelines. We are piloting them regionally. We have also introduced a module on conflict-related sexual violence, developed under the auspices of UN Action into the DPKO/DFS protection of civilians training modules for military, police and civilian components. Those modules were recently finalized and disseminated to our missions and key peacekeeping training partners.

Ultimately, protection from sexual violence is a key element of the protection of civilians mandate of United Nations peacekeeping operations. Given the diverse environments in which peacekeeping missions operate, different protection arrangements have emerged. In the Democratic Republic of the Congo, for instance, joint protection teams and community liaison assistants have become essential elements of MONUSCO's efforts to address the protection of civilians. Community alert networks established through the use of cellular phones and high-frequency radio networks are currently being piloted.

Another example is Darfur, where UNAMID and the United Nations country team regularly conduct joint assessment field missions in selected camps for internally displaced persons, to identify security and humanitarian concerns, such as access to basic services, the human rights situation, patterns of population movement and communities' coping mechanisms. The missions verify reported cases of sexual violence, and therefore they also address the problem of conflicting information.

In order to capture good practices and lessons learned, we are conducting an inventory of our structures and practices, which can be replicated in other contexts. Furthermore, the United Nations Action early warning indicators matrix on conflict-related sexual violence, to which the Special Representative referred, will be adapted to the operational environments of two peacekeeping operations and piloted and introduced into the protection arrangements of other peacekeeping operations later this year.

It is important to underscore that the host Government is ultimately responsible for the protection of its civilian population. Missions cannot act as a surrogate for State authority. Where mandated, therefore, we must strengthen frail State institutions, to facilitate their protection response. In that regard, we welcome the recent adoption of the Secretary-General's human rights due diligence policy on United Nations support to non-United Nations security forces, which ultimately strengthens the protection abilities of the host Government's forces.

MONUSCO is implementing that policy in the Democratic Republic of the Congo, which makes the Mission's support to the Forces armées de la République démocratique du Congo (FARDC) and the Police nationale civile (PNC) conditional on their respect of international humanitarian law, human rights law and refugee law. The policy seeks to improve FARDC behaviour through screening the chain of command of its units for past humanitarian law and human rights violations, including acts of sexual violence, before support is provided by the Mission. Indeed, in the course of last year, MONUSCO screened more than 2,000 FARDC and PNC personnel. Support was suspended to two FARDC battalions based on evidence of human rights violations. I am pleased to highlight that collaboration and progress has been achieved with the Government of the Democratic Republic of the Congo. Last month I also had another meeting with a senior general commanding FARDC forces in North Kivu, who acknowledged that our due diligence policy had now been fully understood and taken on by himself and his troops: they respect and take full account of our requirements in the matter.

In conclusion, I would like to draw attention to a few key points. In countries where conflict-related sexual violence is taking place, we call on Member States to fund women advisers in order to strengthen the implementation of the monitoring, analysis and reporting arrangements and the sexual violence mandate from a peace and security perspective. Time-bound commitments are part of security sector reform and a strong tool for preventing sexual violence from taking place. Our missions stand ready to support host Governments to address those commitments, to work with the security sector to address the integration of armed groups in national security forces and to work in

close support of national military and civilian justice systems to ensure accountability for incidents of sexual violence. DPKO and DFS also look forward to close collaboration with host Governments to implement the Secretary-General's human rights due diligence policy.

Uniformed women in peacekeeping are key to addressing conflict-related sexual violence. DPKO and DFS call on troop- and police-contributing countries to commit to that issue and to increase the number of women represented in national security forces. We have set the objective of 20 per cent women in the United Nations police forces by 2014, but we must go further.

Finally, I would like to underline that political, social and economic empowerment of women in fragile States is fundamental to eradicating discrimination, inequality and sexual and gender-based violence. Women's exclusion from the sectors responsible for their disempowerment must be addressed through adopting the principles of resolution 1325 (2000) and mobilizing strong political will. Political will is what it is really about.

The President (*spoke in French*): I thank Mr. Ladsous for his presentation, which sheds light on this tragic reality that we must eliminate at all cost.

I now give the floor to Ms. Megheirbi.

Ms. Megheirbi (NGO Working Group on Women, Peace and Security): I am speaking on behalf of the NGO Working Group on Women, Peace and Security, a civil society coalition that advocates for the equal and full participation of women in all efforts to create and maintain peace and security. That work includes the promotion of women's human rights and combating sexual violence. I am also here in my capacity as president of the Attawasul Association, a Libyan non-governmental organization in Benghazi working on women's empowerment. I have lived through the violence imposed on the Libyan people by a brutal dictator for 42 years. That includes the intensified aggression after the 17 February revolution, in which sexual violence was used as a weapon of war.

We appreciate the ongoing work of numerous actors to combat violence against women. That includes the efforts of the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict. We welcome the analysis and recommendations contained in the latest Secretary-General's Report (S/2012/33) on conflict-related sexual violence. As the report makes clear, sexual violence is often used as a weapon to torture, terrorize and threaten peace. It is important to remember that each paragraph of the report represents human beings — women, men, children and communities affected by that threat to peace and security. That includes individuals from my community who, like most victims, have not received and likely will not receive proper services, protection, acknowledgement, justice or accountability. This represents a collective failure of the international community to effectively respond to the threat.

Addressing conflict-related sexual violence requires powerful and urgent leadership at the international, regional and local levels. That leadership is essential across the United Nations system and from every Member State. Today, I will address three key areas in which leadership is essential: prioritizing prevention, ensuring a survivor-centric approach, and strengthening justice and accountability.

First and foremost, the prevention of conflict-related sexual violence is paramount and must be the Council's priority on this issue. The Security Council itself has underlined the importance of prevention. After the mass rapes in Walikale, Democratic Republic of the Congo, in 2010, the Council stated that all possible steps should be taken to prevent such outrages in the future. Given the political, technical and financial resources required, can we say that all possible steps have been taken to prevent conflict-related sexual violence? Can we say that to women, girls and their communities in the eastern Democratic Republic of the Congo, or to the survivors in my country, Libya? Can we say that to the rest of the world? Have Member States and the United Nations invested all available political, technical and financial resources to prevent further atrocities? If not, why not?

We urge all actors to address the root causes of sexual violence. Those root causes include gender inequality, political exclusion, social and cultural stigma, militarization and the proliferation of arms. Women's human rights and full participation cannot be ignored. In fact, women's full and equal participation is fundamental to addressing those root causes, and therefore to preventing sexual violence in conflicts.

Secondly, when prevention efforts fail, survivors must be the priority of all service provision and

protection. The survivor-centric approach must encompass the provision of medical, psychological, legal and other services to survivors, as well as effective avenues for reparations and redress. We support the recommendations in the Secretary-General's report in that regard, and we strongly call on all actors to make that a reality. Service and protection strategies must be designed in full consultation with women and affected communities. Particular attention must be paid to the rights and concerns of women and girls, who are often at increased risk in displacement settings, as the current report notes in many cases, including Somalia, Darfur in the Sudan, and Sri Lanka.

Thirdly, survivors demand nothing less than justice and an end to impunity. Accountability for crimes of sexual violence must be included at every stage, from ceasefire agreements to all aspects of post-conflict reconstruction. That is central both to preventing future crimes of sexual violence against women and to the healing of societies. At both the national and international levels, security sectors and judicial systems must address the culture of impunity for these crimes. Measures must include improved vetting of reintegrated soldiers and bringing suspected perpetrators to justice, in domestic courts where possible or through referral of situations to the International Criminal Court and other international courts for prosecution. Where those systems are failing survivors, comprehensive reforms should be mandatory. Maintaining the full dignity of survivors must be at the core of all of these processes.

As a Libyan, I want to emphasize the need to hold accountable all parties involved in any act of sexual violence, and to prosecute them accordingly. That includes politicians and military commanders who order or permit such acts as a weapon of war, as well as those who commit the crime.

I would like to state our concern regarding all situations where women's rights continue to be violated. On conflict-related sexual violence specifically, we note that the Secretary-General's current report does not reference a number of relevant situations where sexual violence has been perpetrated. Those include Afghanistan, Iraq, Israel, the occupied Palestinian territories and Haiti, among others. We urge the Secretary-General to take all measures to ensure that all relevant countries are included in future reports. Furthermore, we condemn the perpetration of sexual exploitation and abuse, which are all too often committed with impunity.

In civil society, we are often at the forefront of combating sexual violence from the grassroots to the international level. We encourage all actors to support civil society at all levels in all areas of that work. Furthermore, in their own work in the Security Council or in the United Nations, members should ensure that they are working to fulfil the obligations of resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009) and 1960 (2010). That includes ensuring that all country reports and mandate renewals are truly responsive to the protection and promotion of women's human rights.

In conclusion, on behalf of the NGO Working Group on Women, Peace and Security and on my own behalf as a Libyan woman, I would like to ask you, Mr. President, your colleagues on the Security Council and all other members of the international community to take the urgent action on conflict-related sexual violence that we have outlined here today, namely, prioritizing prevention, ensuring a survivor-centric approach and strengthening justice and accountability efforts.

The President (*spoke in French*): I thank Ms. Megheirbi for her heartfelt statement.

I shall now give the floor to the members of the Security Council.

Mrs. DiCarlo (United States of America): I would like to thank you, Mr. President, for your presence here today and for organizing this open debate. I would also like to thank Special Representative Wallström and Under-Secretary-General Ladsous for their comprehensive briefings. Of course, I would like to thank Ms. Megheirbi for her remarks this morning and for all of her and the Working Group's efforts to advance the women, peace and security agenda.

The Secretary-General's report (S/2012/33) on conflict-related sexual violence demonstrates the importance of having a Special Representative on Sexual Violence in Conflict. In just the past year, she was able, together with the Team of Experts, to assemble the evidence available in the report, and to begin to address some of the horrors it describes. From the beginning, the United States has supported the Special Representative and the Team of Experts, both

in advocating their mandates and financing their work. It is time and money well spent.

The Special Representative has, first of all, gathered facts. We now know how rape was used to humiliate and punish during the post-election crisis in Côte d'Ivoire. We know now that 625 cases of sexual violence by warring parties were recorded by the United Nations from December 2010 to November 2011 in the North Kivu, South Kivu and Orientale provinces of the Democratic Republic of Congo. We have before us figures, dates, names of perpetrators and perpetrating forces in those countries, as well as in Burma, Somalia, the Sudan and South Sudan. We also now have information, sometimes very extensive information, about sexual violence perpetrated in post-conflict situations and situations of civil unrest, in the Central African Republic, Syria, Guinea, Nepal and elsewhere.

The Special Representative and the Team of Experts have demonstrated the extent of the problem. Their work is also increasing awareness of the issue and encouraging best practices. In the reporting period, more than 150 people in the Democratic Republic of the Congo, from various types of security forces, were sentenced after trial to punishment for crimes of sexual violence. A total of 9,534 Congolese survivors of sexual violence in North Kivu, South Kivu and Ituri provinces, including at least 1,700 children, received medical and psychosocial support. Congolese officers in two conflict-affected provinces are now receiving training from the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), to train their own soldiers on how to prevent sexual violence and deal properly with witnesses and victims. Those training modules will become the national standard for the Democratic Republic of the Congo.

In Côte d'Ivoire, the Special Representative received a commitment from the President of the Truth and Reconciliation Commission that reparations for victims of sexual violence would be part of the Commission's mandate. In Liberia and South Sudan, the Team of Experts has worked with national justice sectors on sentencing guidelines, the training of police, constitution-drafting and a host of other initiatives.

That is what the Office of the Special Representative is for. The Security Council's mandate is clear and the Special Representative has been forthright in carrying it out. She deserves our strong support.

The problem, unfortunately, remains vast. We have only begun. Impunity is still alarmingly common. In the Democratic Republic of the Congo, Sheka Ntabo Ntaberi ran as a candidate for office even as a warrant was out for his arrest for sexual violence. In Guinea, as detailed in the Secretary-General's report, two men connected to the violence of September 2009, which included sexual violence, have since been given high Government positions. Such impunity should not be tolerated.

Apart from keeping a sharp focus on ending impunity, we need to build our institutional capacity for early warning. We applaud the efforts of the Special Representative, of United Nations Action against Sexual Violence in Conflict, and of UN-Women to develop an early warning framework.

As Council members, we need to make combating sexual violence part of our discussions with briefers so that it becomes an integral part of our practice. We have recognized for some time that conflict-related sexual violence is a security issue, but the Secretary-General's report places that matter beyond dispute. As is shown quite clearly, it is a security matter that impacts entire countries, as well as individual communities, families and individuals.

It is also one that very much affects men and boys, as well as women and girls. The report shows that in many places, men are forced to watch as their wives and daughters are being abused. There are numerous cases of men and boys being sexually attacked by other men as a deliberate tactic of conflict. This is a security issue, not a women's issue. We must treat it as such and develop the same strategies of early warning and prevention that we use for other security threats.

The United States welcomes and supports the recommendations in the Secretary-General's report, particularly with regard to the need for all parties to conflict to make specific and time-bound commitments to cease acts of sexual violence and bring perpetrators to justice. We particularly endorse the recommendation to address conflict-related sexual violence in the context of security-sector reform initiatives, including personnel-training and civilian oversight mechanisms. The Council should continue to consider conflict-related sexual violence in authorizing and renewing the

mandates of peacekeeping missions, including with regard to monitoring, analysis and reporting arrangements.

The United States will stay engaged with this issue. As part of our new, National Action Plan on Women, Peace and Security, the United States is working to strengthen our efforts to prevent and combat conflict-related sexual violence as we advance women's participation in preventing conflict and keeping peace. Our ultimate objective is to incorporate women and girls into our diplomatic, security, humanitarian and development efforts in conflict-affected countries, not simply as beneficiaries but as agents of peace, reconciliation, development, growth and stability.

For example, the United States believes that it is crucial to increase women's participation in security forces involved in preventing conflict and building peace as one way to reduce conflict-related sexual violence. The United States funds and implements the Global Peace Operations Initiative, which has facilitated the training of 2,451 female peacekeepers worldwide. The Initiative supports instruction on the prevention of sexual exploitation and abuse. Beginning last year, we have supported the predeployment training of Peruvian women peacekeepers focused on women, peace and security issues, in support of the United Nations Stabilization Mission in Haiti. In Afghanistan, United States and Afghan officers provide instruction and mentoring to female soldiers in the Afghan National Army. In 2014, 10 per cent of the Afghan Military Academy's class will be women. There are already more than 1,200 women serving in the Afghan National Police, many of whom serve in leadership positions.

Preventing and combating conflict-related sexual violence is central to building lasting peace and brighter futures for countries undergoing and emerging from conflict. I cannot stress enough what a critical concern this is for my Government. Sexual violence must cease to be used as a tactic of war and intimidation. For the sake of the vulnerable and for the honour of nations, we, as the Council, must continue to support efforts to end this scourge.

Mr. Hardeep Singh Puri (India): At the outset, I would like to thank the Special Representative of the Secretary-General, Margot Wallström, for her comprehensive and valuable briefing and for the report of the Secretary-General on conflict-related sexual violence (S/2012/33). We welcome the efforts of the Special Representative and share the principles and objectives she outlined. I would also like to thank the Under-Secretary-General for Peacekeeping Operations, Mr. Ladsous, and the representative of the NGO Working Group on Women, Peace and Security, Ms. Megheirbi. We think the deliberations today will promote our common interest in the subject.

India has been actively participating in the Council's debates on the agenda item on women and peace and security. It is a cross-cutting issue with a multisectoral dimension and requires the active participation of all Member States. I would therefore like to thank you, Mr. President, and the delegation of Togo for organizing this open debate, which affords Member States an opportunity to discuss the progress made in the implementation of Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010) and contributes to our ongoing consideration of the subject.

It is estimated that today close to 90 per cent of current casualties in wars and situations of armed conflict are civilians, the majority of whom are women and children. Obviously, women bear a disproportionately large share of the burden of conflict, but they have only a marginal say in matters of war and peace. That is perhaps a function of the gender imbalance in our societies, which is reflected in positions of power and influence.

Despite that, women should not be viewed solely as victims of war. They also have to assume the key role of ensuring family livelihoods in the midst of chaos and destruction. They are particularly active in peace movements at the grass-roots level and in cultivating peace within their communities. Therefore, the absence of women at the peace-negotiating table is unconscionable. Some of the aspects highlighted by the landmark Security Council resolution 1325 (2000) — in particular the greater participation of women in areas of conflict prevention, peace negotiation and post-conflict reconstruction — are central to the issue.

Some solutions need to emerge from the conflict-affected societies themselves. Others are more long-term and structural, involving, inter alia, the encouragement of democratic ideals and practices, effective improvements in economic and social conditions and

expansion of opportunities for education and productive employment.

Situations of conflict vary. Each has its own causes and consequences. Clearly, there can be no off-the-shelf remedies or panaceas. We need to take practical and effective steps to mitigate the impact of conflict on women and to enhance their ability to restore and preserve peace.

It is a matter of deep regret that the international community must repeatedly debate the issue of sexual and other forms of violence against women and girls in situations of armed conflict. That abhorrent behaviour, whether perpetrated by the parties to the armed conflict or by others, must be unequivocally, unambiguously and resolutely condemned. There should be no tolerance for gender-based violence. All such cases must be investigated and the perpetrators prosecuted.

Some argue that human rights law and international humanitarian law do not offer enough protection to women and children. Such postulation is a bit extreme. Women's rights and needs have received the attention they deserve in the codification of international law. The challenge is the effective implementation of the laws and the availability of adequate resources for capacity-building wherever required. That alone will ensure the real impact of our efforts on the ground.

By definition, it is States that are parties to the treaty-based system of international law. By and large, they respect them, and when they do not, penalties arise under provisions of the relevant treaties. However, the most egregious crimes against women in times of conflict have been and are being committed by non-State actors, often warring against Governments. They obey no laws and, as experience has shown throughout the past decade, are immune to coercive or punitive measures. The Council therefore needs to consider, in practical terms, how non-State actors, who are responsible for the bulk of the crimes that continue to be committed against women, can be effectively tackled.

On the part of the United Nations, there has been modest progress in areas such as gender mainstreaming in peacekeeping operations and training of peacekeeping personnel on gender perspectives. In that context, we commend Special Representative Wallström for having brought a new synergy in addressing the issue of sexual violence in situations of armed conflict.

My country has taken a lead in that process, while conscious of the need to incorporate essential elements of the gender-mainstreaming policy in the predeployment training of its peacekeepers. India's formed police unit (FPU) of 100 personnel in Liberia was the first of its kind among United Nations peacekeeping operations. As the largest troop-contributing country in United Nations history, we are very proud of the exemplary record of our peacekeepers. I might add that we are willing to increase our contribution of female FPUs.

The Secretary-General, in his report, referred to efforts to establish a framework of early warning indicators specific to conflict-related sexual violence. The United Nations has also developed a set of indicators as global markers of progress in the implementation of resolution 1325 (2000). We have taken note of those efforts. The development of such indicators, benchmarks and guidelines should involve a process of broad intergovernmental scrutiny and approval before their eventual adoption. In that connection, one must be cognizant of the difficulty in obtaining credible and verifiable data from conflict situations.

India will continue to contribute positively to United Nations efforts in protecting vulnerable sectors of the population, particularly women and children, in conflict and post-conflict societies. I would also like to emphasize that the international community needs to enhance cooperation by providing new and additional financial resources, sharing experiences and building capacity in the areas of justice and the rule of law.

The women and children in our lives ensure our future. They must live in security. While there is much talk of the need to safeguard the interests of women and children, there is less talk of cooperative efforts to ensure sustained economic growth, which alone can eradicate the poverty and deprivation that cause their exclusion.

Several studies point out that most of the global poor are women. Globalization has affected both men and women, but women bear the double burden of inequality and marginalization. Empowering them is therefore both crucial and urgent. In considering the role of women in peace and security, the Council, I am certain, will bear in mind the wider perspective of women's empowerment, development and peace.

Mr. Bouchaara (Morocco) (*spoke in French*): Allow me at the outset, on behalf of the Moroccan delegation, to thank you, Mr. President, for organizing the debate.

My delegation welcomes the report (S/2012/33) of the Secretary-General on the implementation of resolutions 1820 (2008), 1888 (2009) and 1960 (2010) on conflict-related sexual violence. I also take the opportunity to thank Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, for her constructive and substantive briefing and to pay tribute to her efforts to promote the protection of women against violence in conflict situations. Our thanks also go to Mr. Hervé Ladsous and to Ms. Amina Megheirbi on behalf of the NGO Working Group on Women, Peace and Security. I wish to congratulate the NGO Working Group in particular for its commendable work in raising awareness with respect to members of the Council.

Our debate today gives us the opportunity to take stock of the implementation of the commitments made under resolutions 1820 (2008), 1888 (2009) and 1960 (2010), as well as the progress achieved in the implementation of the monitoring, analysis and reporting arrangements established in line with resolution 1960 (2010).

The convening of this debate also allows us to undertake a more in-depth reflection on the psychological impact and the consequences of conflict-related sexual violence against women, girls and children, as well as on the need to identify with greater determination ways and means of ensuring optimal protection for the victims of such violence.

The suffering endured by women during conflict and the various forms of exclusion and social injustice that they suffer from within their communities and families require more resolute joint action and a stronger commitment to ensure that they benefit from the maximum level of protection.

The adoption of resolution 1960 (2010) in December 2010 was one element of a series of initiatives aimed at bolstering the existing legal toolkit for tackling conflict-related sexual violence. We believe that the monitoring, analysis and reporting arrangements established under that resolution should allow for the collection of objective, reliable and credible data on acts of sexual violence. We would also like to see these arrangements serve as a basis for comprehensive strategies to counter sexual violence by strengthening preventive measures, improving medical and psychological support services, and ensuring access to justice for victims.

My delegation would also like to commend the efforts made by the Council to combat sexual violence, in particular with respect to the preparation of the terms of reference for women's protection advisers, in cooperation with the Department of Political Affairs, the Department of Peacekeeping Operations, the Office of the United Nations High Commissioner for Human Rights and the Office of the Special Representative of the Secretary-General.

The report of the Secretary-General also takes stock of situations of sexual violence in several regions of the world and of the measures taken by the parties in conflict to put an end to those acts by identifying those responsible, combating impunity of the perpetrators and masterminds, and making available medical, psychological and social assistance for victims and their families.

While it is the responsibility of the parties to a conflict to put an end to the grave consequences of sexual violence during conflict for women and girls, coordinated and sustained action by the United Nations, through its various organs, agencies and specialized and programmes, is crucial to progress in existing initiatives.

The Kingdom of Morocco is convinced that the effective implementation of Security Council resolutions on conflict-related sexual violence also requires improved coordination among the various national and international actors involved in the combat against sexual violence, as well as a more resolute and sustained commitment on the part of the United Nations in the area of technical assistance and capacity-building.

The international community must stand shoulder to shoulder and act in a spirit of solidarity in guaranteeing women who have fallen victim to sexual violence the right to make their voices heard and to express their suffering, bearing in mind our obligation to listen to them, protect them and to ensure that such crimes never again go unpunished.

Mr. Karev (Russian Federation) (*spoke in Russian*): We wish to thank you, Mr. President, for having convened today's meeting. We are grateful also

to Ms. Wallström, Mr. Ladsous and Ms. Megheirbi for the useful information they presented today.

The very nature of violence during armed conflict requires that due attention be paid to all of its manifestations. The issue of women, peace and security should be addressed through a comprehensive approach, as set out in resolution 1325 (2000). Sexual violence is a particular manifestation of violence that clearly requires firm condemnation and severe punishment. The careful investigation of all incidents and the punishment of perpetrators is a guarantee of success in combating this egregious crime.

Of particular concern are situations where sexual violence is widespread. However, sexual violence is far from being a root cause of an outbreak of conflict; it is, rather, a symptom of the impunity that prevails during armed conflict. Some of those situations, as we know, pose a threat to international peace and security, and it follows that they require the intervention of the Security Council. But attempts to artificially impose on the Security Council the duty to address the issue of sexual violence in all of its aspects will lead not only to imbalances in system-wide coherence but to an erosion of the legitimacy and importance of Council decisions on grave, complex and urgent issues.

Let us not forget that the issue of countering sexual violence is, in the framework of existing mandates, taken up not only by the Council but also by other United Nations bodies, in particular the General Assembly, the Human Rights Council and the Commission on the Status of Women.

We would like to recall once again that sexual violence is but one of the crimes committed in armed conflict and post-conflict situations. We are convinced that focusing our efforts on combating sexual violence means that we must also pay due attention to other crimes committed in time of conflict. Civilians continue to be the victims of crimes such as premeditated attacks, including terrorist attacks, as well as the indiscriminate or disproportionate use of force. In our view, the Council must evaluate such cases in an impartial and principled manner and ensure that the perpetrators do not go unpunished.

We have carefully studied the report (S/2012/33) of the Secretary-General. We note that the document is rich in factual data, which reflects the credible and comprehensive work being done to combat sexual violence in armed conflict. Much of what has been done is welcome. We can see clearly that progress has been made as a result of the efforts of the Special Representative of the Secretary-General. However, the reliability of some of the accounts contained in the report is questionable. We believe that taking an unbiased approach to this delicate issue on the basis of objective and reliable information is the key to promoting confidence in the activities undertaken in this respect.

We disagree with the broad manner in which the Special Representative of the Secretary-General on Sexual Violence in Conflict has interpreted her mandate. We would draw attention in particular to the fact that the issue under consideration today is conflict-related sexual violence. Unilateral changes in the scope of an issue dealt with by a special United Nations mechanism established as a result of intergovernmental processes and enshrined in Security Council resolutions are inadmissible and could have an adverse impact on our ability to resolve the issue of sexual violence.

Accordingly, we call on the Special Representative of the Secretary-General, in carrying out her activities, to strictly comply with her mandate, according priority to those situations on the agenda of the Security Council, where sexual violence is one of the basic issues in the framework of the protection of civilians. With respect to the need to comply with the mandate of the Team of Experts, established by resolution 1888 (2009), we see similar requirements. The Team provides assistance to host countries on strengthening the rule of law in situations of particular concern. In that vein, we are puzzled by the fact that the Secretary-General's report contains an arbitrary interpretation of the mandate that sets out the basic task of the Team of Experts as monitoring situations of sexual violence in conflict worldwide, as well as developing country dossiers on the basis of information received. I wish to underscore that what I have just said in no way detracts from the success and efforts of the Special Representative of the Secretary-General and the Team of Experts in the framework of their mandates.

We are not convinced of the advisability of establishing a special mechanism to monitor respect by parties to a conflict for their responsibilities to combat sexual violence. It would seem that strategic leadership should be harmonized and that the effectiveness of existing systems and mechanisms should be enhanced

by improving coordination among them. Indeed, that would be in line with founding Council resolutions and is at the core of the activities of the Special Representative of the Secretary-General on Sexual Violence in Conflict.

We continue to believe that the Security Council must address those issues that fall within its purview. The issue of the sexual violence should be considered by the Council exclusively under the agenda item "Women and peace and security" and insofar as it is linked to the maintenance of peace and security.

In conclusion, we express the hope that the observations and proposals put forward by Council members today will serve to further improve the activities of the Special Representative of the Secretary-General and other United Nations structures and bodies concerned with combating sexual violence in armed conflict within the framework of their mandates.

Sir Mark Lyall Grant (United Kingdom): I join others in thanking Margot Wallström and Hervé Ladsous for their briefings, and Amina Megheirbi for her moving words on behalf of the NGO Working Group on Women, Peace and Security. The United Kingdom welcomes the report of the Secretary-General on conflict-related sexual violence (S/2012/33). We wholeheartedly support the work and the mandate of Margot Wallström.

I would like to make three points. First, I would like to commend Special Representative of the Secretary-General Wallström for the good work that she has done to raise the profile of this issue, including fighting against impunity. We welcome her concerted efforts in tackling this issue, leading to a more coordinated response from the United Nations system, as she set out this morning. United Nations Action against Sexual Violence in Conflict has played an important part in implementing the monitoring, analysis and reporting arrangements. Ms. Wallström has also worked tirelessly to ensure that the voices of non-governmental and civil society organizations are heard.

Secondly, we welcome the efforts towards greater accountability and an end to impunity. The United Nations monitoring and reporting mechanisms provide reliable, objective and evidence-based information on conflict-related sexual violence against women, men, girls and boys. Under resolution 1960 (2010), the Security Council can now hold to account parties credibly suspected of committing acts of rape or other forms of sexual violence. We note that these parties are listed for the first time, and support appropriate action being taken against those responsible for these terrible acts.

It is important that the Council take into account information on conflict-related sexual violence when considering post-conflict situations and other situations of concern. However, conflict-related sexual violence is not confined to countries on the Security Council's agenda, as we see incidents or patterns occur in other settings. The Special Representative of the Secretary-General must be able to address conflict-related sexual violence wherever a pattern or trend exists as an early warning sign of conflict. These crimes must be reported, addressed and punished, and the survivors must be treated with dignity throughout the reporting process.

We recognize the good work of the Team of Experts on the Rule of Law. It supports Member States in strengthening the rule of law and institutional safeguards against impunity by working with them to improve rule of law processes and ensuring that those who commit sexual violence are brought to justice. It is not until impunity has been combated and the perpetrators of conflict-related sexual violence are brought to account that justice will have been done. All parties to conflict must learn that it is the perpetrator, and not the survivor, who will pay the price.

Finally, we welcome the development of a framework of early warning signs specific to conflict-related sexual violence, as well as the ambition to integrate this analysis into existing and emerging early warning and prevention systems. Early warning and prevention systems are vital tools in both preventing and in tackling conflict-related sexual violence.

Rape is increasingly used as a tactic of war, and the Security Council should be united in condemnation of it and steadfast in support of the crucial work of the Special Representative on Sexual Violence in Conflict. The adoption of resolution 1960 (2010), the appointment of Ms. Wallström, the establishment of her good offices alongside the Team of Experts on the Rule of Law and Sexual Violence in Conflict, and the work of women protection advisors all contribute to preventing and responding to conflict-related sexual

violence, and thereby to international peace and stability.

We firmly believe that the Council needs to sustain and build on this work. For that reason, the United Kingdom is disappointed that the Council has not yet been able to agree a presidential statement condemning conflict-related sexual violence. It sends a depressing message to the world at large, and in particular to victims and survivors, that on the occasion of this debate the Council has not yet been able to agree a public statement on impunity, on prevention and early warning, on follow-up to resolution 1960 (2010) over the past year, and, crucially, on the excellent work of Ms. Wallström.

We trust that intensive and urgent efforts will continue among Council members to agree a public position on these important issues, and that all delegations will demonstrate the necessary commitment, sensitivity and vision to make such a statement possible. The United Kingdom will certainly be active in such efforts.

Finally, we have noticed a disturbing trend recently of certain members of the Security Council arguing that they do not feel bound by resolutions adopted when they were not on the Council. Security Council resolutions are, of course, legally binding on all States Members of the United Nations, and no Member State can distance itself from resolutions or undermine their implementation, whether or not they were present on the Council when those resolutions were adopted.

Mr. Mehdiyev (Azerbaijan): At the outset, I would like to thank the Togolese presidency for convening this important open debate on women and peace and security. We thank the Special Representative of the Secretary-General on Sexual Violence in Conflict, Ms. Margot Wallström; the Under-Secretary-General for Peacekeeping Operations, Mr. Hervé Ladsous; and Ms. Amina Megheirbi for their statements.

Civilians are entitled in all circumstances to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They are to be at all times humanely treated and protected, especially against all acts of violence or threats thereof.

The reality, however, is different. Indeed, a defining feature of most, if not all, conflicts is still the failure of parties to respect and ensure respect for their obligations to protect civilians. Civilians continue to suffer from inadequate protection in situations of armed conflict, including discriminatory treatment, torture, sexual violence, extrajudicial executions, mass population displacements and ethnic cleansing. In many situations of armed conflict, sexual violence has been used as a weapon of war to strike terror and to force civilians to leave their native lands.

Azerbaijan strongly condemns all acts of violence committed against women and girls in situations of armed conflict. It is imperative that all parties to armed conflict strictly abide by their obligations under international humanitarian and human rights law.

Azerbaijan's interest in the issue under consideration is obvious and stems from its efforts to contribute to achieving sustainable peace and development and its practical experience of addressing the impact of armed conflict on civilians, including women and children.

In three days, we will commemorate the twentieth anniversary of atrocious crimes committed against the Azerbaijani civilians of the town of Khojaly, where during one night hundreds of civilians were killed only because they were Azerbaijanis. Not even women and children were spared by the invading troops. In its resolutions adopted in 1993 in response to the occupation of Azerbaijani territories, the Security Council referred specifically to violations of international humanitarian law and attacks on civilians. We are confident that consistent measures being taken at the national level, as well as the existing international legal framework, will serve to bring to justice those responsible for crimes in Khojaly and other grave offences committed during the occupation of Azerbaijan's territories. It is incontrovertible today that no official or political status cloaks the person concerned with immunity for the most serious crimes of concern to the international community.

The adoption by the Security Council of the landmark resolution 1325 (2001) was an important milestone that took up the issue of women and peace and security as a separate thematic issue and brought international visibility to the plight of women and girls in situations of armed conflict. The subsequent Council resolutions, presidential statements and other relevant

documents have contributed to developing a solid framework and raising awareness of the impact that sexual violence has on victims' families and societies.

The heightened vulnerability of civilians in wartime — in particular forcibly displaced persons, refugees, women and children — brings an element of urgency, dedication and strong commitment to our protection efforts, which must be free of selectivity and politically motivated approaches and preferences. Azerbaijan notes the role that the mandate of the Special Representative of the Secretary-General on Sexual Violence in Conflict must play in that regard.

Among the pressing issues requiring urgent action and attention is that of women taken hostage and reported missing in connection with armed conflict. We are continuing our efforts to address that disturbing phenomenon, including through the relevant biennial resolution of the General Assembly and the Commission on the Status of Women, of which Azerbaijan is a main sponsor. In that regard, I would like to recall that, inter alia, at its fifty-fourth session, the Commission called for the immediate release of women and children taken hostage in armed conflicts, including by strengthening international cooperation to that end.

More resolute and targeted measures are required to end impunity for the most serious crimes of concern to the international community, including those committed against women in situations of armed conflict. Combating impunity is important not only for the purposes of prosecuting such crimes and bringing those responsible to justice, but also for ensuring sustainable peace, truth and reconciliation.

Mr. Berger (Germany): I would like to thank Togo, as the holder of the presidency of the Security Council, for organizing today's open debate on this important issue. My thanks also go to the Secretary-General, his Special Representative Margot Wallström, Ms. Amina Megheirbi and Under-Secretary-General Hervé Ladsous for their insightful briefings and statements.

The issue on our agenda today is one of the most abhorrent, yet still all too often concealed and underreported, of crimes. In a number of armed conflicts sexual violence is used as a weapon of war, thus not only destroying its victims but traumatizing societies at large. Widespread and systematic sexual violence ranks among the grave breaches of international law, as reflected in the 1998 Rome Statute of the International Criminal Court and in the 1949 Geneva Convention and its Additional Protocols.

The Security Council has recognized the threat of conflict-related sexual violence to peace and security. Resolutions 1820 (2008), 1888 (2009) and 1960 (2010) have been historic responses to a heinous reality. However, the disturbing situation on the ground, reflected in the recent report (S/2011/33) of the Secretary-General and in today's briefings, underlines the strong imperative to keep up the fight.

Germany very much welcomes the setting up of the new monitoring and reporting mechanism and commends Special Representative Wallström and all United Nations and civil society organizations working on this issue, for their indispensable work. We hope that the women protection advisers will be deployed shortly. Prevention is an important aspect of the Special Representative's mandate. The Security Council needs to be properly informed about all possible threats to peace and security.

What more can the Security Council, United Nations organizations and Member States do? First, our key goal should be prevention, and not mere reaction. To facilitate such an approach, exact and reliable data and early warning mechanisms — as mentioned in the Secretary-General's report — are crucial. Awareness-raising and training, especially for peacekeepers and police officers, should also be high on our agenda. Whenever a peacekeeping mandate is renewed, the Council needs to make sure that it also contains provisions to monitor sexual violence.

Small arms are another aspect that is often overlooked when discussing the prevention of violence, but one that was mentioned today by the Special Representative. There is some evidence that, especially after an armed conflict, the ready availability of small arms increases the threat of their use, especially against women and children.

Secondly, we must accelerate our fight against impunity. Perpetrators have to be brought to justice. Bearing in mind the main responsibility of States to investigate and prosecute, the Security Council also has a role to play. We therefore welcome the inclusion in the Secretary-General's report, for the first time, of an annex listing parties that are credibly suspected of patterns of rape and other forms of sexual violence in situations of armed conflict on the Council's agenda.

Naming and shaming is not an end in itself, but should serve as a basis for targeted measures leading to the end of those terrible crimes. The International Criminal Court and international monitoring mechanisms have also done important work in that regard, and should be further strengthened.

Thirdly, we need greater resolve on ensuring the participation of women at all stages of peace processes. As an example, the issue of sexual violence has not yet figured in most ceasefire or peace agreements. The Department for Political Affairs has developed an interesting new tool to start closing that gap, namely, new mediation guidelines that take into account the issue of sexual violence. The guidelines, which of course cover other aspects as well, will be presented on 9 March at the German Mission. It is my pleasure to invite everyone to attend that event.

Fourthly, reparation schemes and funding frameworks should be guided by a survivor-focused approach. Both physical and mental scars have to be treated in order to allow survivors to once again actively participate in their societies. We commend the valuable work done by United Nations organizations, especially the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, which Germany actively supports, as well as the newly created team of experts that advises Member States, upon their request, to combat sexual violence in or after conflict.

Let me conclude by stressing that we cannot separate the challenge of sexual violence from the broader security issues on the agenda of the Council. We need the Special Representative of the Secretary-General to continue her important work. Germany will actively support her in her endeavour.

Mr. Moraes Cabral (Portugal) (*spoke in French*): I would like to thank you very much, Mr. President, for having convened this debate. The very large number of delegations that have expressed a desire to speak today clearly shows that this issue is at the heart of our concerns. I should also like very much to thank the Special Representative of the Secretary-General and Mr. Ladsous for their briefings, as well as Ms. Amina Megheirbi for her very moving statement.

(*spoke in English*)

Let me start by commending Ms. Margo Wallström for her excellent work over the past two years and her efforts to spread a clear message that sexual violence is simply not tolerable and that there is no real security without women's security.

The report (S/2012/33) before us today gives a clear and comprehensive idea of the intensive work that has been carried out worldwide by the Special Representative in her advocacy for the fight against conflict-related sexual violence, in field visits, in engaging with national and non-governmental bodies and authorities and in coordinating within the United Nations system. It provides us with important information on the implementation of the resolutions passed by this Council regarding monitoring and reporting arrangements aimed at collecting more consistent information on conflict-related sexual violence, but also regarding the establishment of a team of experts on the rule of law to assist national authorities to reinforce traditional systems weakened by conflict.

Moreover, the report provides us with very useful information on specific situations, in accordance with resolution 1888 (2009) — information about incidents, but also about challenges and best practices adopted at the national level. It also contains very concrete recommendations, which we welcome.

We must recognize that much has been achieved, and we are confident that the Special Representative will continue to carry out her mandate in the same committed and professional manner.

The Security Council has recognized that the protection of women is a critical priority for peace and security. Resolutions 1888 (2009) and 1960 (2010) have clearly established the fight against sexual violence in the agenda of this Council. The Council has created the necessary tools for obtaining reliable and accurate information on sexual violence. A common definition of sexual violence and common methodologies for data collection through monitoring and recording activities are now used throughout the system.

The Council has been quite successful in discharging its responsibilities, but it still needs to reinforce its effectiveness. For instance, we need to make full use of existing tools, mainly ensuring deployment of women's protection advisers in relevant peacekeeping operations, which will strengthen the prevention of and the response to sexual violence. We hope that the challenges that have delayed the

deployment of these advisers will be overcome, since their deployment in specific missions has already been requested by this Council.

Another promising tool at the disposal of Member States is the Team of Experts on the Rule of Law and Sexual Violence in Conflict. We welcome the technical cooperation that was provided at the request of national authorities of the Democratic Republic of the Congo, South Sudan, the Republic of Guinea, Sierra Leone and Côte d'Ivoire.

All information contained in the report is relevant for the Security Council in terms of the Charter's mandate for the maintenance of national peace and security. The information that is already collected by the reporting mechanism will improve the Council's access to timely, objective, accurate and reliable information on sexual violence in conflict. The Secretary-General or the Special Representative will be able to brief the Council with reliable information on specific situations that deserve the Council's attention. That reliable information will consequently enable the Council to act, collectively and in an appropriate mode, well before major incidents of widespread sexual violence reinforce threats to peace and security.

Indeed, a Council that is better informed is also in a better position to take effective action. With sufficient information, the Council will be able to take preventive steps in a timely manner. But the Council now will also need to take action with regard to those parties listed in the annex of the Secretary-General's report, which are, and I quote, "credibly suspected of committing or being responsible for patterns of rape and other forms of sexual violence" (S/2012/33, para. 118).

The Council has already passed a clear message to assure the perpetuators of sexual violence that the Council adopts sanctions against perpetrators who have been identified or who are credibly suspected of committing sexual violence in situations of armed conflict on its agenda. The Council should be consistent and reinforce that message concerning other individuals in similar circumstances. Impunity is simply not acceptable.

The work carried out by the Special Representative and, ultimately, by this Council during the past few years is making a real difference in many parts of the world, especially for women and girls, but also for men and boys. As we have heard, Governments have recently prosecuted senior officers of their armed forces for crimes of sexual violence, and leaders of parties in armed conflict have been arrested and transferred to the International Criminal Court. These actions send a powerful signal to the victims of sexual violence that no military or political leader is above the law. This political message needs to be constantly underlined by the United Nations, and by this Council in particular.

Before concluding, let me mention that we regret that we have not yet been able to agree on the presidential statement on this important debate. But we trust that, with the cooperation of all, we will be able to achieve this shortly.

I conclude with a word for the victims and the survivors of sexual violence. They are at the centre of our debates. Let us not forget them and the fact that beyond bringing perpetrators to justice, the international community also needs to afford care and reparation to the victims.

Mr. Briens (France) (*spoke in French*): I should like to begin by thanking you, Mr. President, for organizing this debate. I welcome the Special Representative of the Secretary-General, Ms. Wallström; the Under-Secretary-General for Peacekeeping Operations, Mr. Ladsous; and Ms. Megheirbi of the NGO Working Group on Women, Peace and Security for their statements.

France associates itself with the statement to be made on behalf of the European Union.

I should like to reiterate our full support for the work of the Special Representative and to commend the quality of her annual report. We also welcome the work done by the Team of Experts on the Rule of Law and Sexual Violence in Conflict.

The effective implementation of Security Council resolutions on women, peace and security is a priority for France, which worked actively for their adoption. It also worked to strengthen attention to this issue within the European Union. At the national level, at the end of 2010 France adopted an action plan for the implementation of the resolutions on women, peace and security.

We welcome the progress described in the report of the Special Representative regarding the establishment of institutional mechanisms to implement resolutions adopted by the Security Council. I point

particularly to the progressive implementation of monitoring, analysis and communication arrangements, which will make it possible to gather information on sexual violence. This is essential for the Council to be properly informed.

However, as Ms. Wallström emphasized, the important issue is that of the gap between our initiatives — the mechanisms we establish — and the reality on the ground. Here, the account given by the Secretariat is alarming. Sexual violence remains intolerably high.

In many conflicts today, sexual violence is a weapon used to crush individuals and communities. Therefore, these acts of violence are a destabilizing factor and a threat to peace and security with, as Ms. Wallström emphasized, lasting consequences. By way of example, hundreds of Somali women refugees have been raped, sometimes in front of their husbands. Conflicts, droughts and massive displacements increase the risk of sexual violence against women and girls. In Darfur, the Government of the Sudan has shut down all clinics for the victims of rape. During the past year, more than 625 cases of sexual violence were registered by the United Nations in the Democratic Republic of the Congo.

Sexual violence does not occur only when there is an armed conflict, as the Special Representative pointed out in her report. Situations in which there is political instability, including a climate of violence before and after elections, are particularly favourable for the commission of those crimes. Thus in Syria, the Syrian armed forces and security forces have resorted to sexual torture of prisoners, including children and adolescents.

Sexual violence is not inevitable.

Given the magnitude of the challenges facing the United Nations, France fully supports the mandate of the Special Representative. Resolution 1960 (2010), adopted in December 2010, marked a political commitment to use all the means available to the Security Council to ensure that sexual violence is prevented. It is up to us today to do our utmost to ensure that that resolution is implemented. The Under-Secretary-General for Peacekeeping Operations mentioned that what is important today here is the swift deployment of women's protection officers in United Nations missions.

We also welcome the establishment of a list of parties, annexed to the report of the Special Representative, pursuant to resolution 1960 (2010). This list should make it possible to improve communication of information on troubling situations.

It is indeed a decisive step forward in combating impunity for the perpetrators of sexual violence, another imperative in our combat against this scourge. The perpetrators of such violence must be brought to justice and sentenced with all due severity. The Council has a crucial role to play in that regard, both by adopting targeted measures against perpetrators of gender-based violence in the context of the relevant sanctions committees and through its ability to refer situations to the International Criminal Court.

Lastly, it is essential to pursue our efforts to implement a zero-tolerance policy in peacekeeping operations. The United Nations system and Member States must bear their responsibilities in that regard. We should set an example.

Mr. Tarar (Pakistan): Spawned by misanthropism, sexual or gender-based violence in any form and in any society is reprehensible. Such crimes assume a more sinister dimension when employed as tactics of war and tools of humiliation during armed conflicts. All parties to a conflict have the moral and legal responsibility to ensure due protection of all vulnerable groups, including women, children, the elderly and the disabled.

Pakistan welcomes this opportunity to have an open and frank discussion on the important topic of sexual violence in armed conflict. We have listened carefully to the remarks made by Special Representative of the Secretary-General Wallström. We are also grateful to Under-Secretary-General Ladsous and to Ms. Megheirbi.

Pakistan's commitment to the United Nations agenda of peace and security needs no elaboration. For more than half a century, Pakistanis have served in United Nations peacekeeping operations in challenging circumstances. We have noted the Security Council's enhanced emphasis on addressing violations of the human rights of children and women through new mechanisms, such as the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict. Employed properly and in cooperation with concerned States and

other relevant actors, such tools have the potential for good.

We are supportive of the work that the Special Representative of the Secretary-General is doing, and would like to encourage her to continue to focus on the core of her mandate, that is, situations of armed conflict or occupation. Having carefully read the report of the Secretary-General (S/2012/33), we have some questions and comments on its specifics.

Ideas such as the inclusion of elections, political strife or civil unrest under "other situations" go beyond the mandate of the Security Council. They run counter to paragraph 8 of resolution 1960 (2010), which clearly confines the whole debate to the implementation of resolution 1888 (2009), that is, situations of armed conflict. That is what the report should focus on, not situations that are neither armed conflict nor post-conflict or that threaten international peace and security. It is a matter of concern that some members of the Council, while arguing for a binding nature of Security Council resolutions, paradoxically condone deviations from mandates authorized by those very resolutions. The report should also not deviate from the established notion of sexual violence in situations of armed conflict

As paragraphs 1 and 3 of resolution 1960 (2010) affirm, the mandate of taking action against specific parties is restricted to those situations that are on the agenda of the Security Council. However, in paragraph 116 of the report, the Secretary-General recommends that the Security Council take specific actions, including the use of targeted measures by sanctions committees, against all parties named in the report, instead of those mentioned in the annex. We would appreciate clarification of that anomaly.

The report also mentions the development of a framework for early warning indicators specific to conflict-related sexual violence, with the aim of integrating the analyses yielded by the framework into existing and emerging early warning and prevention systems to facilitate a rapid response. It should be ensured that such a mechanism works strictly within the mandate and under the guidance of the Security Council to obviate politicization.

Let me conclude by saying that, our questions notwithstanding, Pakistan attaches the highest importance to and supports this important mandate. We would like to stress the need to strengthen the rule of law through a focus on national judicial systems, better training for peacekeeping troops and local police forces, and the increased participation of women in all peacemaking, peacebuilding and peacekeeping processes to help end sexual violence in situations of armed conflict. We are also supportive of the recommendations made by the Special Representative of the Secretary-General on the need to take steps for the legal, medical and psychological rehabilitation of the victims of sexual violence, as well as efforts to strengthen institutional safeguards against impunity for perpetrators.

Mr. Osorio (Colombia) (*spoke in Spanish*): I would like to begin by expressing my thanks for the important briefings and presentations to the Council by Ms. Margot Wallström, Mr. Hervé Ladsous and Ms. Amina Megheirbi. I wish, in particular, to express Colombia's appreciation for the dedication and work of Ms. Wallström and for the progress in implementing the provisions of resolution 1960 (2010), which seek to ensure prompt, precise, reliable and objective data collection on sexual violence in conflicts.

With regard to the body of the report of the Secretary-General on conflict-related sexual violence that we are considering today (S/2012/33), I would like to draw attention to the definition of the task used throughout it. On the one hand, throughout the report, the expression "conflict-related sexual violence" is used. That is different from that used by the Council in all its previous resolutions and statements, namely, "sexual violence in armed conflict". On the other hand, in resolution 1960 (2010), when the Council requested the Secretary-General to deal with conflict-related situations, such as post-conflict situations or other situations relevant to the implementation of resolution 1888 (2009), it did so solely and exclusively to enable data collection by means of the monitoring and reporting arrangements.

The report therefore reflects the fact that not only is the precise concept of sexual violence in armed conflict being abandoned, but it would also seem that the arrangement can now be applied to the broader concept of incidents or standards of behaviour occurring in other situations that are cause for concern. In our view, that is not covered by resolution 1960 (2010).

Regarding the recommendations contained in the report, Colombia understands that by urging the

Council to increase pressure on perpetrators of conflict-related sexual violence, including the individuals and parties named in the report, the Secretary-General is referring to those named in the report's annex, that is to say, the situations being considered by the Council and the sanctions committees set up with regard to such situations, which have adopted clear and precise criteria and procedures. We must not lose sight of the fact that each situation is specific, as are the elements of each mandate issued by the Council.

My delegation reiterates its position with regard to the possible establishment of dialogue with parties to conflict for commitments to prevent sexual violence and hold perpetrators accountable in that the establishment of such dialogue must observe national laws and policies. If a State, as in the case of Colombia, has a policy whereby any dialogue between the United Nations and illegal armed groups operating in the country must take place with the prior explicit authorization of the Government, that decision must be respected.

Colombia attaches the greatest importance to the prevention, investigation and prosecution of sexual violence in armed conflicts. As a result, we are resolutely determined to address this complex series of problems. Our national authorities as a whole are taking action to foster a culture of zero tolerance for violations of human rights, zero tolerance for violence against women and, in particular, zero tolerance for sexual violence. Colombia has legislation ensuring women a life free of any sort of violence in both the public and private spheres and an institutional structure capable of implementing such measures.

Colombia's Law No. 1448 of 2011, on care, assistance and full reparation to the victims of internal armed conflict — as highlighted by the Secretary-General in his report — sets out different measures and guarantees of non-recurrence for women and girls who are victims of sexual violence. This is a decisive step forward by the State to deal with these problems in a coordinated and consistent fashion.

With regard to the defence sector, many administrative provisions have been adopted aimed at preventing and punishing abuse, such as Ministry of Defence Directive No. 11 of 2010, which is aimed at reasserting compliance by armed forces with regard to their obligation to prevent all forms of violence against women and children, specifically violent sexual acts, as well as Directive No. 7 of March 2011, on combating impunity.

In order to strengthen the measures adopted in those instruments, coordinated work is being done with the United Nations, the High Adviser for Women's Equality and other State bodies in order to define additional measures of prevention in accordance with experience gained on the ground and international standards.

The establishment of monitoring, analysis and reporting arrangements for conflict-related sexual violence must ensure that on the basis of accurate, objective and verifiable information, measures may be adopted to prevent conflict-related sexual violence and provide effective responses to help its victims. Similarly, recognizing the primary responsibility of the State to protect its people, the information obtained must contribute to the adoption of broad national policies and strategies against sexual violence, including prevention and care and recognition of victims.

In that regard, it is imperative to help States with the development and implementation of early-warning mechanisms and procedures that facilitate the reporting, registering and verification of information. To the same end, the various United Nations bodies must continue to strengthen coordination, reducing the duplication of effort and ensuring a consistent approach in the field in order to help the Council in its consideration of all appropriate measures.

Mr. Wang Min (China) (*spoke in Chinese*): I wish to thank Togo for convening this open debate. I welcome the presence of His Excellency the Foreign Minister of Togo to preside over this meeting. I would also like to thank Special Representative of the Secretary-General Wallström, Under-Secretary-General for Peacekeeping Operations Ladsous and Ms. Amina Megheirbi for their briefings and statements.

China condemns all violence against women in armed conflicts, including sexual violence. We urge all parties to conflict or intervening parties to abide by international humanitarian law and other relevant international law. In that regard, I would like to emphasize the following five points.

First, to avoid and lessen the harm suffered by women in armed conflicts, we should first of all

prevent wars and reduce the number of conflicts. The Security Council bears the primary responsibility for maintaining international peace and security. To safeguard the rights and interests of women, the Council should actively engage in preventive diplomacy and promote the settlement of disputes by peaceful means, including dialogue and consultations. The mandates of the Council's resolutions should be comprehensively and strictly implemented. They must not be abused and, even less so, exceeded. Actions to provide protection for civilians should pay particular attention to avoiding further casualties among women and children.

Secondly, Governments bear the main responsibility for protecting women and combating sexual violence, as well as for implementing resolutions 1820 (2008), 1888 (2009), 1960 (2010) and the relevant presidential statements. While the international community can provide constructive assistance, external support must comply with the purposes and principles of the Charter of the United Nations and fully respect the sovereignty of the countries concerned.

Thirdly, it is necessary to strengthen the participation of women in all stages of the peace process, pay attention to their status and roles, and further tap their potential. China supports women in playing a greater role in preventing and settling conflicts and in rehabilitation and reconstruction. China supports the United Nations in appointing more female senior officials, special representatives of the Secretary-General and special envoys, and especially in increasing female representation from the developing countries.

Fourthly, the issue of women is that of development. In order to fundamentally solve various problems, including sexual violence, attention should be paid to promoting economic and social development, eradicating the root causes of conflicts and achieving the comprehensive development of women. The United Nations should actively promote the implementation of the Millennium Development Goals, increase support and assistance to developing countries and, in particular, pay greater attention to the reconstruction and development of post-conflict countries.

Fifthly, in addressing questions related to women, peace and security, including sexual violence, there should be a division of labour among the relevant United Nations organs, which should collaborate with each other. In accordance with its Charter mandate, the Security Council should concern itself with situations that constitute a threat to international peace and security. At the same time, full play should be given to the role of other United Nations organs and bodies, such as the General Assembly, the Economic and Social Council, the Human Rights Council and UN-Women, which should endeavour to generate synergy.

We hope that the Special Representative of the Secretary-General will work strictly in accordance with the mandate of the Security Council and play a constructive role in appropriately addressing the problem of sexual violence in armed conflicts.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): I am grateful to the Togolese presidency for convening this open debate on sexual violence in armed conflict, as well as to Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Armed Conflict, for her presentation of the Secretary-General's report (S/2012/33), which informs us in a more detailed manner regarding the situation on the ground on this subject. We are also grateful for the interventions by Mr. Hervé Ladsous and Ms. Amina Megheirbi.

We recognize that the mandate to combat sexual violence in situations of conflict is a very complex one. When such crimes are perpetrated against women and girls in a massive and systematic way by armed groups, they have the aim, among other aspects, of punishing, humiliating and destroying the fabric of society. Moreover, such crimes often include deeply rooted discriminatory practices, sheltered by a culture of impunity. Among many other aspects, they constitute grotesque violations of human rights, with grave consequences for individuals, families and societies.

Over the past three years the Security Council has been working to strengthen collective measures to combat sexual violence in armed conflicts. The adoption of resolutions 1820 (2008), 1888 (2009) and 1960 (2010) underscored the Council's commitment to fight the utterly unacceptable violence and terror that women suffer because of sexual violence during armed conflicts. The work of the Special Representative of the Secretary-General has been crucial to this effort.

We applaud some of the conceptual advances contained in the Secretary-General's report in proposing a more detailed characterization of the scope of conflict-related sexual violence, based on analysis of cases and trends of some twenty situations on the ground. That offers better elements for preventive measures and the eventual use of early warning systems and for improving access to services for victims — or, to use the term of the report, survivors — of this scourge.

We are aware of the diverse consequences of armed conflicts, which increase the likelihood of sexual violence. It cannot be denied that factors such as the fear of reprisals, insecurity, social stigma and the lack of prompt services for victims often prevent such crimes from being reported. Moreover, we must fight the perception that it is futile to report them. We must work to strengthen the administration of justice, both civilian and military, so that the perpetrators and those responsible are brought to justice. It is imperative to obtain firm commitments to prohibit sexual violence on the part of the high-ranking commanders of armed forces, and the armed groups, and to adopt codes of conduct that prohibit sexual violence.

We strongly agree with the specific recommendations in the Secretary-General's report. We must increase the pressure against those responsible for acts of sexual violence in conflicts. In that regard, we commend the list of parties and even of individuals that are credibly suspected of committing or being responsible for systematic rape and other forms of sexual violence during armed conflicts and in post-conflict situations.

We also believe that the Council should systematically consider sexual violence in armed conflicts when authorizing or renewing mandates of United Nations peacekeeping missions. Moreover, we should guarantee the participation of women in the solution and prevention of conflicts. Rehabilitation and reconstruction are important parts of the efforts for the implementation of resolution 1325 (2000). Guatemala supports the idea that women should play a greater role in the good offices work and in mediating controversies. We encourage the Secretary-General to appoint more qualified women as special representatives and special envoys.

We are concerned by the delay in the deployment of women's protection advisers in peacekeeping operations. Such advisers were approved in resolution 1888 (2009). We hope that in future their deployment can be expedited so as to effectively comply with the mandate of that resolution.

Finally, we reiterate our support for the United Nations campaign against sexual violence in conflicts and for the Secretary-General's zero-tolerance policy with regard to personnel of peacekeeping missions. We also encourage Ms. Wallström to continue her visits to the field, and we commend her five recent visits and the agreements reached with the Governments. We trust that in this task she will engage with regional bodies to coordinate actions at the highest possible level.

Mr. Mashabane (South Africa): I would like to express our sincere gratitude to the Special Representative of the Secretary-General, Ms. Margot Wallström and to the Under-Secretary-General for Peacekeeping Operations, Mr. Hervé Ladsous, for their briefings this morning. Our delegation welcomes the report of the Secretary-General (S/2012/33) and the comments made on behalf of the non-governmental organizations (NGOs), specifically the NGO Working Group on Women, Peace and security.

South Africa attaches great significance to the subject matter under consideration, and we wish to express our sincere gratitude to the Secretary-General, the Special Representative and the entire United Nations team that continues to work hard to ensure that this scourge is completely eradicated. We would like to commend the excellent job done by the United Nations and the Special Representative to highlight the challenges of sexual violence in conflict-affected areas. Africa continues to bear the brunt of this evil, given its high share of the number of conflict areas. This scourge has to be completely eradicated sooner than later.

South Africa remains deeply concerned about the continuing trends of sexual violence in armed conflict and post-conflict situations, in particular the deliberate targeting of civilians, especially children. It is a fact that women and girls are disproportionately affected by the scourge of violence. Over the centuries, women have formed the core of civilization and human advancement. On our continent and in South Africa, women have participated in the gallant struggles against colonialism and oppression as equals, shoulder to shoulder with men, in the struggle for justice, emancipation and equality.

It is therefore a travesty that women are still today subjected to the most degrading and dehumanizing acts, in spite of their violent role in history. We should therefore spare no effort to comprehensively resolve all the outstanding conflicts across the globe in general and on our continent in particular. Those conflicts continue to be a fertile ground for sexual violence, and rape in particular, which is used as a weapon of war.

We have taken note of the fact that the Secretary-General's report for the past year was prepared and compiled after a broad and extensive consultation with the 13-entity network — a fact greatly appreciated by my delegation, given that it has enriched the report by making it one informed by the conditions and experiences on the ground. No doubt it is one of the most comprehensive reports ever prepared on this matter, and it represents to a large extent the great deal of progress in dealing with this scourge. We are particularly pleased that United Nations peacekeeping and political missions, as well as country teams, were primary sources of information for the report. For South Africa that is crucial, because the report is informed by the experiences of people who are at the cold phase.

The Council has done an outstanding job over the past few years to comprehensively address the challenge of conflict-related sexual violence by adopting landmark resolutions aimed at eradicating it. South Africa welcomes the progress that has been made so far in the preparations of the terms of reference for women protection advisers, and we look forward to their early deployment. We are mindful of the limitations that continue to pose a challenge to the reporting of incidents of sexual violence in conflict-stricken areas.

It is our hope that the countries mentioned in the report will do everything in their power to address all the challenges identified, including bringing the perpetrators to justice and reparations for the victims. South Africa is concerned that African countries continue to constitute the majority of countries where there is an increasing prevalence of conflict-related sexual violence. We are appalled that the incidents of rape and gang rape increased in the recent conflict that struck Côte d'Ivoire. In the Democratic Republic of the Congo, rape, mass rapes and other sexual violence continue unabated in North and South Kivu. That is a matter of great concern to South Africa.

We welcome and fully support the establishment by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) of prosecution support cells to boost the capacity of the Congolese justice system in the investigation of war crimes, crimes against humanity and sexual violence. We hope that all those initiatives will help to bring all the perpetrators to justice and end the culture of impunity.

We welcome the commitments that were made by the Governments of countries of concern during the visit of the Special Representative of the Secretary-General in relation to addressing impunity for sexual crimes and the training of security personnel. We appreciate the work done by the Team of Experts on the Rule of Law and Sexual Violence in Conflict, especially its great work in the Democratic Republic of the Congo, Liberia and South Sudan.

In the same vein, and equally important, are the predeployment training modules that UN-Women and the Department of Peacekeeping Operations have developed. We welcome the modules that the Special Representative of the Secretary-General has developed on the protection of civilians and sexual violence with the African Union partners, under the auspices of the Kofi Annan International Peacekeeping Training Centre. We are of the view that the streamlining of conflict-related sexual violence across all peacekeeping training will go a long way in the efforts to comprehensively address and eradicate that evil. We would like to encourage all United Nations agencies and departments to continue to work together in an integrated and coordinated manner to effectively implement such training. We hope that we will soon see the fruits of those concerted efforts.

We are pleased with the development of a framework of early warning signs specific to conflict-related sexual violence by UN-Women, the Special Representative of the Secretary-General and the broader United Nations system. That will assist a great deal towards preventing those heinous crimes. We equally appreciate the work of the Department of Political Affairs in producing the United Nations guidelines for mediators on addressing conflict-related sexual violence in ceasefire and peace agreements. South Africa supports the inclusion of provisions dealing with conflict-related sexual violence in ceasefire and peace agreements, which must have a

direct linkage with the increasing role of women in conflict resolution and management.

South Africa is mindful of the fact that, if all those efforts and initiatives are to succeed, a great deal of resources and funds are required. The international community and the United Nations must do all they can to ensure that resources do not stand in the way of the implementation of all the strategies, initiatives and efforts for the complete eradication of conflict-related sexual violence. We support the call contained in the 2010 report on women's participation in peacebuilding (S/2010/466) for the allocation of at least 15 per cent of United Nations-managed funds for post-conflict peacebuilding projects to advance gender equality, to empower women and to address women's specific needs in peacebuilding contexts, which includes the prevention of and response to sexual violence.

South Africa supports the recommendations of the Secretary-General that the Security Council increase pressure on the perpetrators of conflict-related sexual violence, that it utilize all means at its disposal, and that, in this matter, it fully support the use of referrals to the International Criminal Court. For us, there is no gainsaying the fact that the International Criminal Court has strengthened the fight against impunity for the most serious crimes of international concern against women and girls. We continue to stand ready to work with other members of the Council and the United Nations in general to enhance efforts against impunity and to ensure that perpetrators are held accountable. The perpetrators of these evil acts should no longer be allowed to remain in uniform, roam the streets, sit at negotiating tables, continue to occupy positions of authority or command armed forces.

We fully concur with the recommendation that the Security Council should systematically reflect conflict-related sexual violence in the authorization and renewal of peacekeeping mandates and the renewal of special political missions. In that respect, South Africa has always supported the call for the deployment of women protection advisers to peacekeeping and political missions in order to coordinate the implementation of conflict-related sexual violence.

For our part, South Africa continues to increase the number of women deployed in United Nations peacekeeping missions. About 45 per cent of the troops we contribute to the United Nations are women, and 10 per cent of them have played leadership and commanding roles. We will continue to do our part and to contribute to international efforts to address the scourge of conflict-related sexual violence.

In conclusion, we support the work of the Special Representative of the Secretary-General in line with the mandate, and we want to assure her of our continued support.

The President (*spoke in French*): I will now address the Council in my capacity as the representative of Togo.

I would like first to join previous speakers in thanking the Secretary-General for his report (S/2012/33) on conflict-related sexual violence. I would also like to thank Ms. Margot Wallström for her praiseworthy work on the issue and Mr. Hervé Ladsous for the useful efforts that the Department of Peacekeeping Operations (DPKO) continues to make in this sphere. I would further like to thank to the representative of the NGO Working Group on Women, Peace and Security for her organization's cutting-edge work to combat violence against women and girls.

United Nations efforts to eradicate sexual violence in armed conflict deserve recognition, as they make an important contribution to restoring peace and security in countries in conflict and to the essential process of reconciliation. Indeed, the suffering inflicted on women and girls in armed conflict and post-conflict situations remains a source of serious concern insofar as it undermines the process of reconciliation. Sexual violence is manifested in rape, sexual slavery, prostitution, pregnancy, forced sterilization and any other form of sexual violence of comparable seriousness. Such acts, committed in conflict or post-conflict situations or in other crisis situations, constitute serious violations of human rights and are all the more deplorable for their impact on people who are already vulnerable.

My country welcomed the adoption of resolution 1325 (2000), which defines the role of women in conflict prevention, conflict management and peacebuilding. The national action plans that Member States are called upon to draw up pursuant to that resolution seem to be the most effective means for attaining the goals of the resolution.

In that spirit, Togo has drafted an action plan to combat all forms of violence against women. My country has established nationwide support centres for women victims of violence. For 10 years now, my country has also participated in 16 days of campaigning organized from 25 November to 10 December every year. As a troop-contributing country to United Nations peacekeeping operations, Togo has also created a predeployment centre where military and police personnel in training are made aware of the strict prohibition of all forms of sexual violence.

In addition to those measures, which are aimed at preventing violence against women in conflict, my country reiterates the urgent need to put an end to impunity if we are to ensure that every society in the thrall of conflict, wherever it may be, draws lessons from the atrocities committed against civilians and prevents such atrocities from being repeated. In that regard, Togo welcomes the steps taken by the Secretary-General to ensure that the zero-tolerance policy regarding exploitation and sexual violence in United Nations peacekeeping operations, in conformity with paragraph 7 of resolution 1820 (2008), does not remain an empty term.

My country also supports the main initiatives launched by the United Nations to combat sexual violence in times of conflict, as set out in the report. These efforts include scenario-based predeployment training modules on preventing and addressing conflict-related sexual violence; analysis of early warning signs of sexual violence in times of conflict, with the aim of integrating that analysis into existing and emerging early warning and prevention systems to facilitate a rapid response; and addressing conflict-related sexual violence in ceasefire and peace agreements.

To combat and especially to deter the perpetration of such acts, Togo believes that the countries concerned must build an arsenal of justice, such as national or hybrid criminal courts and tribunals, turning, if necessary to the International Criminal Court, with scrupulous respect for the principle of complementarity, which maintains the primacy of national jurisdictions.

My country also believes that the affected countries could resort to extrajudicial mechanisms and methods of reconciliation, that is, to truth, justice and reconciliation commissions and roundtables. These mechanisms can help not only to solidify the principle of the individual responsibility of perpetrators of serious crimes, but also to promote peace, truth, reconciliation and the rights of victims.

In conclusion, I wish to reiterate Togo's support for the presidential statement to be adopted at the conclusion of this debate. My country wishes to renew its thanks to the United States delegation for its work in that regard.

I now resume my function as President of the Council.

I remind speakers that they are asked to limit their statements to a maximum of four minutes so that the Council may complete its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their texts and to deliver a condensed version when speaking in the Chamber.

I now give the floor to His Excellency Mr. Didier Reynders, Deputy Prime Minister, Minister for Foreign Affairs, Foreign Trade and European Affairs of Belgium.

Mr. Reynders (Belgium) (*spoke in French*): Let me begin by thanking the Secretary-General for the report on conflict-related sexual violence (S/2012/33). I also wish to thank Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, and her team of experts. It is impossible to remain indifferent in reading the report, for sexual violence in many societies is still a common practice, often invisible and too rarely prosecuted.

Belgium has always been a strong defender of resolution 1325 (2000) on women, peace and security. It formally promises to remain so.

Belgium associates itself with the statement to be made on behalf of the European Union.

I would like to address three subjects.

First is the mandate of the Special Representative, which for Belgium is very clear. It allows the Security Council to focus on sexual violence not only in classic conflict situations but also in post-conflict situations or other serious situations, such as political unrest. The Council already regularly takes up such issues in various types of situations. I welcome the reference in the report to instances of sexual violence in situations of unrest and instability, particularly in Egypt and Syria. To reduce the mandate

solely to cases of sexual violence in conflict situations would be tantamount to restricting the role of the United Nations in defending individuals and societies that suffer from this terrible scourge. We cannot retreat from the detailed mandate set out in resolution 1960 (2010).

Furthermore, while sexual violence mainly affects women and girls, the Secretary-General's report makes very clear that the situation of men, especially those in custody, as well as children born as a result of rape, deserves greater attention from us. Rather than seeking to lock the mandate into too limited an area of action, we should develop a comprehensive approach to protecting civilians.

My second comment concerns some particular recommendations in the report, first, that concerning initiatives and modalities relating to security sector reform. It is indeed our duty to ensure that those who perpetrate, command or condone sexual violence are excluded from all branches of government, including the armed forces and police. In addition, United Nations mediators and officials also must ensure that sexual violence is included in the definition of conduct prohibited by ceasefire and peace agreements. Indeed, Belgium calls particularly for an increase in the number of women serving as mediators and special envoys.

Finally, the third recommendation that I wish to underline concerns prevention, which is often more effective than reparation. That is why Belgium supports any initiative aimed at adopting early warning systems that could detect risks of imminent sexual violence in regions affected by conflict.

My third and final comment relates to situations in some particular countries. The Special Representative has visited the Democratic Republic of the Congo several times to discuss with top Government officials the issue of sexual violence, often committed by military personnel. Belgium was among the first to provide financial support for the Democratic Republic of the Congo's national strategy to combat sexual violence. We also provided financial support to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for military judges to assist with the prosecution of soldiers accused of sexual violence in the eastern part of the country. Belgium intends to remain engaged in this project, in consultation with the Special Representative and with national authorities.

As Chair of the Peacebuilding Commission's Central African Republic configuration, Belgium attributes particular importance to the issue of sexual violence in that country. The Central African Republic is on the priority list for action by the Special Representative. The problem of violence against women and children is discussed during each Commission field visit, and regular contact on the subject is maintained with the Office of the Special Representative.

The reports on the situations in Libya, Egypt and Syria are particularly relevant in the context of the so-called Arab Spring. The issue of sexual violence in countries in transition should not be ignored. I am deeply concerned at reports by the United Nations commission of inquiry to the effect that Syrian armed forces and security personnel have used sexual torture against detainees in various detention centers of the intelligence and political security services. I trust we shall have an opportunity to speak of that tomorrow, in the framework of the meeting of the friends of Syria in Tunis.

In conclusion, I would like to stress the collective responsibility for the fight against sexual violence. The Security Council must act on this report, in particular by transmitting to the sanctions committees the list of parties responsible for sexual violence, which is annexed to the report, for effective follow-up. The development of that list is a first, for which I congratulate the Secretary-General.

I sincerely trust that the team of the Special Representative will continue their excellent work. I believe their report is one stage and that there will be more.

The President (*spoke in French*): There are a number of speakers remaining on my list. I intend, with the consent of the Council, to suspend the meeting until 3 p.m.

The meeting was suspended at 1.15 p.m.

United Nations S/PV.6723

Security Council

Sixty-seventh year

Provisional

6723rd meeting

Monday, 27 February 2012, 10 a.m.
New York

President:	Mr. Ohin	(Togo)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Cabral
	Russian Federation	Mr. Karev
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

Peace consolidation in West Africa

Piracy in the Gulf of Guinea

Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/45)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-24250 (E)

Please recycle

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Peace consolidation in West Africa

Piracy in the Gulf of Guinea

Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/45)

The President (*spoke in French*): Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Benin, the Congo and Nigeria to participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Issifou Kogui N'Douro, Minister of State in Charge of National Defence of Benin.

Under rule 39 of the Council's provisional rules of Procedure, I invite Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Mr. Abdel Fatau Musah, special representative of the Chairman of the Economic Community of West African States Commission, to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I invite Her Excellency Mrs. Florentina Adenike Ukonga, Deputy Executive Secretary of the Gulf of Guinea Commission, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2012/45, which contains a letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council, transmitting the report of the United Nations assessment mission on piracy in the Gulf of Guinea.

I now give the floor to Mr. Pascoe.

Mr. Pascoe: I appreciate this opportunity to brief the Security Council on the report of the mission dispatched by the Secretary-General last November to assess the threat of piracy in Benin and throughout the Gulf of Guinea.

Members of the Council will recall that, when the Secretary-General first addressed the issue of piracy in the Gulf of Guinea in the Council, in October 2011, he informed the members of his intention to dispatch a mission to the region following a request from President Boni Yayi of the Republic of Benin. The main objective of the mission was to assess the threat in Benin and in the Gulf of Guinea as a whole, to take stock of national and regional efforts being made to address the menace, and to make recommendations on how to fill the gaps that remain.

As mentioned in its report (see S/2012/45), the mission visited Benin, Nigeria, Gabon and Angola. In addition to meetings with Government and other officials in the four countries visited, the mission also held discussions with representatives of the Economic Community of West African States (ECOWAS), in Abuja, the Economic Community of Central African States (ECCAS), in Libreville, and with the Gulf of Guinea Commission, in Luanda.

Allow me to convey our deep appreciation to the Governments of Angola, Benin, Gabon and Nigeria and to ECOWAS, ECCAS and the Gulf of Guinea Commission for the valuable support and cooperation extended to the assessment mission, which facilitated the smooth conduct of its work.

As highlighted by the Secretary-General last week in his remarks to the Council at the open debate on transnational organized crime in West Africa and the Sahel region (see S/PV.6717), piracy and armed robbery against ships increasingly undermine efforts by States in the Gulf of Guinea region to maintain peace, security and stability and to promote socio-economic development. The threat has become even more alarming as the pirates have become more violent. The Secretary-General recalled, in that connection, the tragic killing of the captain and the engineer of a ship that was attacked by pirates off the coast of Nigeria two weeks ago.

While regional States and organizations have carried out initiatives designed to counter piracy and armed robbery against ships at the national and regional levels, the threat not only persists but appears to be gaining ground in a region where the high-value assets the pirates target are abundant. The Secretary-General's mission found that piracy in the Gulf of

Guinea has become more systematic, with the pirates resorting to sophisticated modes of operation and utilizing heavy weapons. So far, the attacks have primarily targeted the lucrative cargo onboard the ships rather than taking hostages for ransom, which has been the practice off Somalia.

Piracy in the Gulf of Guinea hampers efforts by regional States to engage in peaceful international commerce and to exploit their vast natural resources for the socio-economic development of their countries. Recent reports have suggested, for instance, that Nigeria is losing an estimated 7 per cent of its oil resources to criminal activities, including piracy.

While piracy was a largely unknown phenomenon in the Gulf of Guinea 10 years ago, the number of attacks and the damage they cause has reached worrisome proportions. In 2010, 45 incidents in seven countries were reported to the International Maritime Organization (IMO). Last year, the numbers rose to 64 in nine countries. In only the first two months of 2012, the IMO has already recorded 10 incidents off the coasts of Benin, the Congo, Côte d'Ivoire, Ghana and Nigeria. In addition, we know that not all piracy incidents are systematically reported.

As highlighted in the report of the assessment mission, Gulf of Guinea countries need a united front in order to respond effectively to the growing threat of piracy along their coasts. Isolated national initiatives are only temporarily, at best, pushing the pirates to shift their criminal operations from one country to the next.

Accordingly, we would like to stress the importance of a comprehensive regional strategy, as envisaged in Security Council resolution 2018 (2011), of 31 October 2011. To that end, and as the Secretary-General reiterated in his remarks to the Council last week, the assessment mission recommended that Gulf of Guinea countries should convene a regional summit as early as possible in 2012 to develop a comprehensive anti-piracy strategy for the region. We welcome the commitments expressed recently at the ECCAS Summit held in N'Djamena in January 2012 and at the ECOWAS Summit held in Abuja two weeks ago to develop a broad regional maritime strategy.

We also welcome the measures taken collectively by Central African States, under the auspices of ECCAS, to set up a Regional Centre for Maritime Security in Central Africa, based in Pointe-Noire in the Republic of Congo, as well as multinational coordination centres, which are already operational in Angola, Cameroon and the Congo. These centres are designed to monitor maritime activities in the coastal States of Central Africa. In West Africa, ECOWAS member States have recently intensified efforts to establish a joint maritime security plan aimed at harmonizing West African maritime policies and operations. For its part, the Gulf of Guinea Commission, composed of eight members from both West and Central Africa, sees itself as a bridge to link ECOWAS and ECCAS initiatives in the field of maritime security in the Gulf of Guinea region.

We see the various efforts already undertaken by West and Central African States as important building blocks that lay the foundation for the convening of the proposed joint regional anti-piracy summit in the Gulf of Guinea. While all Gulf of Guinea countries, both coastal and hinterland, are determined to counter the growing threat of piracy and armed robbery at sea, limited national and regional capacities undermine their ability to do so effectively. The resources at hand are inadequate and the region lacks a harmonized legal framework in the field of maritime security. This, in turn, can undermine effective cooperation to initiate and implement joint and timely anti-piracy activities.

We welcome the support provided by members of the international community to the Gulf of Guinea countries to strengthen their maritime security capacities. However, in the face of the deepening threat, we strongly believe that much more needs to be done. Significant logistical support is required, in particular to bolster national and regional maritime capacities. National authorities in Benin and Nigeria highlighted in their discussions with the assessment mission the need to set up a logistical facility in Benin to support the operations of the joint Benin-Nigeria maritime patrol mission. This facility would help, for example, with the refuelling and repairs of vessels used by the joint patrols. Indeed, the joint patrol was cited as a concrete example of the significant results that can be achieved when countries work together to address this transnational threat. Consequently, the assessment mission in its recommendations highlights the need to support Nigeria and Benin in maintaining the joint patrols until a more comprehensive and effective regional strategy is put in place.

The United Nations system has already begun to provide some support. IMO is assisting the 25 States

members of the Maritime Organization of West and Central Africa to implement the memorandum of understanding adopted in 2008 to enhance maritime safety, security and law enforcement throughout the region. The Secretary-General discussed this issue at some length with IMO Secretary-General Koji Sekimizu in London last week. The United Nations Office for West Africa and the United Nations Regional Office for Central Africa are working with their respective West and Central African partners to support the development of subregional maritime arrangements in preparation for the proposed joint regional summit.

During its discussions with national and regional leaders, the assessment mission found strong appreciation for the role and support of the United Nations in highlighting the need for concerted international action to counter the threat of piracy in the Gulf of Guinea. States and institutions of the region welcomed the adoption of resolution 2018 (2011), which they saw as the first major international political and legal tool in mobilizing global cooperation against the piracy menace. Building on that resolution, the assessment mission and the increased efforts of States of the region, we must take further concrete steps designed to eradicate piracy in the Gulf of Guinea, which constitutes a clear threat to the security and economic development of the States of the region.

The President (*spoke in French*): I thank Mr. Pascoe for his briefing.

I now give the floor to I now give the floor to Mr. Musah.

Mr. Musah: I am honoured to address this body on behalf of the President of the Economic Community of West African States (ECOWAS) Commission, who is unavoidably absent today, and to be able to present the point of view of ECOWAS on the disturbing matter of piracy in the Gulf of Guinea. The ECOWAS Commission thanks the Council for its abiding preoccupation with the growing threat of piracy in the Gulf of Guinea to the States in the catchment area, regional security and international maritime activity. ECOWAS is most pleased with the personal involvement of the Secretary-General in finding solutions to the piracy problem, as it will further strengthen our existing cooperation with United Nations agencies in the region.

Members may recall that, at the Council's 6633rd meeting on 19 October 2011, the ECOWAS Commission was privileged to present its views on this matter. Soon afterwards, on 31 October 2011, the Council reiterated its deep concern about the threats posed by piracy in the Gulf of Guinea by adopting resolution 2018 (2011).

Since then, unfortunately, the fragile security situation in the ECOWAS space has taken a turn for the worse due to two main developments. The first is the resurgence of rebellion and banditry, as well as worsening food insecurity, in the Sahel; and the second is growing piracy and associated illicit activities in the Gulf of Guinea. Both these developments seriously undermine the gains made in the past decade to stabilize the region and to achieve the Millennium Development Goals by 2015.

Some observers might be tempted to think that the problem of piracy in the Gulf of Guinea has peaked, wrongly judging by the fact that Benin, the most affected State in the ECOWAS space, recorded only 21 piracy incidents in 2011, compared to 45 cases in 2010. However, the rapid spread of the phenomenon to other States of the subregion gives reason for concern. For instance, a total of 18 attacks occurred in Nigeria, Ghana, Guinea and Côte d'Ivoire last year alone, while this year one has already occurred off the coast of Ghana.

Furthermore, piracy is increasingly dovetailing into other forms of transnational organized crime, including oil-bunkering, robbery at sea, hostage-taking, human and drug trafficking, and terrorism. In a region extremely vulnerable to climate change, these associated illegal activities are exacerbating environmental degradation and injecting an incendiary element into food insecurity and intercommunal violence. Piracy is thus also encouraging corruption, the radicalization of young people and political instability, as well as maritime border disputes. The Council cannot also ignore the increasing dependence of the world economy on Gulf of Guinea oil and the danger piracy poses to that vital sea lane of commerce.

The Gulf of Guinea, as we know, is a reservoir of precious hydrocarbons and rich fauna and flora. It is projected that the region will double the production of its estimated 14-billion barrel oil reserves from 4 million barrels per day to 8 million in the next decade. Against the backdrop of the increasing dependency of littoral and landlocked States of the region on oil exports, the consequences of unchecked piracy on both their

economies and on the world economy as a whole cannot be underestimated.

To counter the dangers posed by piracy and associated crimes to maritime security, States and organizations in the catchment area have, over the past few years, embarked on national, regional and international initiatives aimed at preventing and controlling the illicit activities, while building their capabilities to strengthen maritime security.

At the national level, the littoral ECOWAS States — particularly Nigeria, Ghana, Benin and Senegal — are taking practical steps to police their waters, including the enhancement of maritime awareness capabilities, strengthening coastal fleets and boosting surveillance. In fact, approximately two weeks ago, Ghana took delivery of four high-speed boats. The reality, however, is that those efforts remain but feeble responses to the threat, as hardly any of the States concerned can boast enough maritime surveillance and force projection capability beyond 100 nautical miles off the coast.

Consequently, bilateral and multilateral maritime security cooperation has been sought to complement national efforts. As the Council is aware, Nigeria and Benin have been conducting joint patrols in their common waters under Operation Prosperity, which is ongoing. Similar operations exist between other States and international partners, such as France's roaming vessel operation off the coast of Benin and the Ghana-United Kingdom initiative on the national maritime threat information sharing centre.

At the multilateral level, the United States in particular — as well as France, the United Kingdom, Spain and Germany — have been helping to enhance regional maritime security in the ECOWAS and the Economic Community of Central African States (ECCAS) regions under such initiatives as the United States Africa Partnership Station, Spain's operation under the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, and the priority solidarity fund of France, Benin, Togo and Ghana.

As a consequence of those disparate initiatives, the incidence of piracy has diminished somewhat in the waters of the Gulf of Guinea. But it has by no means been rooted out. The matter is therefore being given due attention at the political and strategic levels within ECOWAS. Recent meetings of ECOWAS heads of State and of Committee of Chiefs of Defence Staff have devoted much time and effort to piracy and maritime security.

The extent of concern of ECOWAS heads of State and Government about maritime security and their determination to seek a regional solution to it were reflected in the full consideration they gave to the matter at their 40th Summit, held in Abuja from 16 to 17 February. In the final communiqué, the Summit acknowledged the increasing threat posed by piracy and other forms of organized maritime crime in the Gulf of Guinea and stressed the importance of the political leadership and coordinating role of ECOWAS in combating that scourge. To that end, it tasked the ECOWAS Commission to urgently develop a holistic, strategic maritime policy framework to guide future actions and cooperation, as well as to strengthen collaboration with ECCAS, the Gulf of Guinea Council and all other relevant stakeholders, with a view to confronting the challenges.

Furthermore, the summit instructed the Commission to convene an urgent meeting of the Committee of Chiefs of Defence Staff to review all emerging security threats in the Sahel region and in the Gulf of Guinea and propose concrete recommendations to address them.

That level of concern at the highest level has been matched by the ECOWAS Commission, which quickly convened a sectional meeting of the Committee of Chiefs of Defence Staff, held in Abuja on 24 February, to review the region's evolving strategy on maritime security. The Committee also decided to dispatch a mission to the conflict areas in the Sahel and to the littoral States to gather further inputs to enrich the regional strategy. A full meeting of the Committee is scheduled to be convened in Côte d'Ivoire in mid-March to update the strategy and to make recommendations on the anticipated broader meeting with organizations outside the ECOWAS space.

As the Council is aware, for several months now, ECOWAS, ECCAS and the Gulf of Guinea Council have been exploring modalities for joint action to combat piracy and shore up the security of international trade routes in the Gulf of Guinea. To that end, plans are afoot to convene, as soon as possible, a wider meeting of regional bodies to harmonize their various initiatives into a broader and more comprehensive regional maritime security framework,

in cooperation with the United Nations and international partners.

The need for such a cooperative approach to security in the Gulf of Guinea reflects the favoured policy and strategy of ECOWAS on the matter, namely, that piracy is a regional challenge that requires a regional maritime security architecture into which national and bilateral initiatives would dovetail. It is also dictated by the challenges confronting States and subregional organizations. Among other things, those include a lack of financial and technical capacity at the national and regional levels to effectively monitor and project force to protect their waters; a paucity of binding legal frameworks to enforce compliance with the law of the sea and to prosecute offenders; and the multiplicity and duplication of efforts due to the absence of a coordination mechanism.

Going forward, therefore, while encouraging the continuation of the ongoing limited initiatives, ECOWAS urges all parties concerned to scale up efforts, beginning with the proposed multilateral forum, to develop a more comprehensive framework that involves all parties so as to ensure a holistic approach to maritime security, in close cooperation with the United Nations. To that end, the Commission exhorts international partners to buy into the long-term perspective and to scale up their financial, logistical and technical assistance to the initiative, which aims to build and strengthen indigenous maritime security capabilities. The Commission also urges the United Nations Office for West Africa and the United Nations Office in Central Africa to facilitate and support the realization of the broader regional initiative. In such a cooperative compact lies the sustainability of our efforts; in it lies the guarantee of security in the Gulf of Guinea.

The President (*spoke in French*): I thank Mr. Musah for his briefing.

I now give the floor to Mrs. Ukonga.

Mrs. Ukonga: Let me begin by thanking the President of the Security Council for inviting the Gulf of Guinea Commission (GGC) to participate in the discussion on the report (see S/2012/45) of the United Nations evaluation mission sent by the Secretary-General to the Gulf of Guinea region and to the secretariats of the Economic Community of West African States (ECOWAS), the Economic Community of Central African States and the GGC to ascertain the level of threat posed by piracy and to take stock of regional and national capacities in ensuring maritime safety and security in the region.

I would also like to convey the apologies of the Executive Secretary of the GGC for his inability to be personally present at this meeting, in spite of the personal invitation addressed to him by the Togolese presidency of the Security Council. That was due to circumstances completely beyond his control.

I would also express our congratulations to the United Nations assessment team that visited the Gulf of Guinea region for the painstaking way in which it carried out their evaluation assignment and for giving us a detailed report on their findings. The secretariat of the Gulf of Guinea Commission received the team on 24 November 2011. The report on the GGC contained a true reflection of our discussions with them. Since their visit, the Gulf of Guinea Commission has initiated action towards effecting collaboration between it and ECOWAS on matters of common interest including. Among other things, such issues include possible concerted efforts in the fight against piracy, which is currently one of the greatest threats to economic activity within the region; the issue of environmental pollution and degradation; and illegal, unauthorized and uncontrolled fishing.

The GGC has also taken steps to draft a strategy for maritime security in the region that, once it has been discussed and approved by the relevant higher authorities, will constitute our basic document for discussion and collaboration with other subregional and international organizations.

On the issue of the report that we are considering, the GGC would like to make some comments on the observations made in some portions of the report.

On the legal framework, as referred to in paragraphs 13 and 14, although the report specifically reports on what obtains in the Republic of Benin, the situation is more or less the same in many other countries of the region. The legal framework for dealing with piracy is insufficient, ineffective and different from one country to the other, ranging from the treatment of acts of piracy as minor misdemeanours in some, to conspiracy to commit theft on the high seas in others.

There is no standardized, adopted and accepted definition of pirates in the context of the region with

the result that when pirates are caught, depending on where and under what circumstances they are caught, they can escape with little or no punishment. There is therefore a need to have an accepted common definition of acts of piracy, attracting the same type of punishment in all the countries of the region, and possibly the establishment of a neutral jurisdiction that will try those arrested for acts of piracy.

What is true of piracy is also true of the legal framework for bringing to trial those caught carrying out illegal activities in other sectors. This means that there is the need to harmonize the legal texts regulating activities in these sectors and prescribing punishments for those who run afoul of the laws.

Our second comment is on the meeting of ECOWAS, ECCAS and the GGC, as noted in paragraph 44 of the report. The GGC would like to propose that the United Nations support the process of the meeting and give the meeting all the assistance it will require.

The President (*spoke in French*): I thank Mrs. Ukonga for her statement.

I now give the floor to Council members.

Mr. Mehdiyev (Azerbaijan): At the outset, I would like to thank the Togolese presidency for convening this debate on piracy in the Gulf of Guinea. I would also like to express our gratitude to Mr. Pascoe, Mr. Musah, and Mrs. Ukonga for their briefings.

We are grateful to the Secretary-General for dispatching a United Nations assessment mission to the Gulf of Guinea to assess the scope of the threat of piracy in the region, as well as for the comprehensive report (S/2012/45) that the mission has submitted. The findings and recommendations of the mission require careful consideration.

Incidents of piracy and armed robbery in the Gulf of Guinea have risen significantly in recent times, giving the area the second most acute piracy problem on the African continent. The increasing number of piracy attacks, in addition to transnational organized crime, including illicit weapons and drug trafficking, constitutes a serious threat to the peace, security and economic development of coastal and hinterland States in the region.

We note political will at the highest level in the individual States of the region and their determination to combat the threat and cooperate to that end. Measures and initiatives undertaken at the national and regional levels to mobilize international attention to this problem and to enhance maritime safety and security in the Gulf of Guinea should be commended.

However, as the assessment mission concluded, most countries in the Gulf of Guinea cannot alone prevent or manage effectively the threat to maritime security in their coastal waters. Indeed, one of the characteristics applying to piracy proceeds from a concept of collective responsibility to fight against this form of criminality, which affects all States. It is therefore important that the States and organizations of the region be provided with substantial assistance from the international community.

Azerbaijan stresses the importance of affirming respect for the sovereignty and territorial integrity of the States of the Gulf of Guinea and their neighbours. With reference to the report of the assessment mission, we note that many States of the region are cautious as to the possibility of an international naval response in the Gulf of Guinea to prevent potential pirate attacks.

The United Nations plays an important coordinating role and should continue and intensify its engagement and work to help the States and organizations of the region to act and mobilize international support, including the convening of the joint summit of Gulf of Guinea States to develop a regional anti-piracy strategy. We agree with the mission's view that any viable or lasting regional strategy may need to take into account the root causes of the problems in the regional countries. In addition, if any comprehensive strategy is to take effect, it is essential that the countries of the region further strengthen their interaction, cooperation and coordination, as well as develop a legal framework for the prevention and repression of piracy and armed robbery at sea.

Ms. Rice (United States of America): I thank you, Mr. President, particularly for organizing and sharing this debate. I also want to thank Under-Secretary-General Pascoe, Mr. Abdel Fatau Musah of the Economic Community of West African States (ECOWAS), and Mrs. Florentina Ukonga of the Gulf of Guinea Commission (GGC) for their briefings.

The United States believes that piracy in the Gulf of Guinea requires the strongest possible regional response with international help. That is why, since

2007, the United States has provided approximately $35 million in assistance to regional States to build maritime security capacity, including coastal radars, equipment, boats and associated training.

The United States is committed to working with our African and other international partners through programmes like the Africa Partnership Station and the African Maritime Law Enforcement Partnership. It is worth noting that Obangame Express 2012, a regional Gulf of Guinea maritime exercise to help local forces improve their capabilities to counter illicit maritime activities, will conclude in the coming days. This exercise includes the participation of Nigeria, Cameroon, Ghana, Gabon, Equatorial Guinea, Sao Tome and Principe, Togo, Benin and the Republic of Congo, as well as well as non-African partners.

There can go no doubt that the situation has become more grave. The impact of maritime crime on local economies is staggering. By one estimate, the West African subregion loses $2 billion annually to maritime attacks — a high price for a region with extensive development needs and already fragile economies. Benin saw a 70 per cent decrease in the number of ships entering the Port of Cotonou following its designation as high-risk by a maritime insurance company last August. And no price can be placed on the loss of life as occurred on 13 February, when gunmen shot and killed the captain and chief engineer of a cargo ship off the coast of Nigeria.

The primary responsibility for patrolling and securing offshore areas rests, of course, with the Governments and countries of the Gulf of Guinea. As the Secretary-General's report (S/2012/45) states, there is an urgent need for these countries to develop a comprehensive anti-piracy strategy for the entire region. No country has the capacity on its own to tackle maritime crime.

Gulf of Guinea countries need to continue developing regional coordination mechanisms to address the lack of a collective surveillance system; the lack of a joint monitoring and patrolling arrangement; the absence of a sustainable process for equipping, funding and maintaining maritime infrastructure; the lack of a formalized information-gathering and exchange system; and inadequate legal frameworks. The need to address corruption and to strengthen law enforcement capabilities also cannot be overstated. The Secretary-General's report notes that it is

> "unlikely that the pilfered fuel, which subsequently resurfaces on the black market in the main ports along the Gulf of Guinea, is being stolen and distributed without the collusion of officials at the ports" (*S/2012/45, para. 9*).

Nigeria and Benin have undertaken joint patrols, as have Cameroon, Gabon, Equatorial Guinea and Sao Tome and Principe. This model should be extended to other countries of the Gulf of Guinea to ensure that the problem is fully addressed, rather than simply relocated.

Cameroon's experience offers both hope and a cautionary lesson. Thanks in part to the donation of equipment, training and materiel by partners, but in large part through its own efforts, Cameroon reduced the number of instances of maritime crime in its waters from 40 in 2009 to eight in the first eight months of 2011. That was done by focusing on the highest risk areas in its territorial waters. But while mitigating the risk within Cameroonian waters, that success appears to have caused much of the illegal activity to shift farther north and west, underscoring the need for a regional approach.

As the Council urged in resolution 2018 (2011), a summit of Gulf of Guinea Heads of State should be convened to develop a comprehensive response in the region and to encourage members of ECOWAS, the Economic Community of Central African States and the Gulf of Guinea Commission to devise a united strategy. The international community has a role to play in supporting these national and regional efforts. We welcome the suggestion detailed in the Secretary-General's report that the United Nations play a supporting, facilitation and coordination role with respect to Gulf of Guinea piracy and maritime armed robbery, supplementing regional organizations' leading role.

Piracy and maritime armed robbery in the Gulf of Guinea have threatened the economies, Governments and people of the region for far too long. National and regional political will, with the support of the international community, will be critical to long-term success in reversing this threat.

Mr. Wang Min (China) (*spoke in Chinese*): I thank Togo for arranging this thematic debate of the Council on the question of piracy in the Gulf of Guinea. I also thank Under-Secretary-General Pascoe; the Director of Political Affairs of the Economic

Community of West African States (ECOWAS), Mr. Musah; and the Deputy Executive Secretary of the Gulf of Guinea Commission, Mrs. Ukonga, for their briefings.

In recent years, frequent acts of piracy in the Gulf of Guinea have seriously threatened the normal trade and navigation security in the Gulf and negatively affected regional peace and security. They have also had an impact on the economic activities of coastal States and the neighbouring hinterland countries. China expresses its grave concern over this situation. The countries of the Gulf of Guinea, the relevant regional organizations and the international community should fully recognize the serious nature of the problem, take timely, effective, preventive and comprehensive actions, and duly solve the problem by strengthening international cooperation and preparing integrated strategies.

The Gulf of Guinea countries bear the primary responsibility for dealing with piracy. China welcomes the positive initiatives taken by the countries concerned, including the formulation and enhancement of national strategies, the strengthening of governance, naval capacities, judicial systems and law enforcement, and the deployment of joint maritime patrols. We hope that the countries concerned will continue to increase imports, strengthen coordination and do better in shouldering the responsibility for maintaining regional peace and security.

Recently, the relevant regional organizations — ECOWAS, the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission — actively formulated an integrated regional anti-piracy strategy and established regional coordination centres that have already achieved notable results. China expresses its appreciation for the work of those organizations. We hope that the relevant regional organizations will continue to play a leadership and coordination role, convene a regional summit on preventing and combating piracy as soon as possible, and strengthen and improve their coordination mechanisms so that they can act in synergy.

The support and assistance of the international community are indispensable to addressing the question of piracy in the Gulf of Guinea. China supports the relevant recommendations in the report of the assessment mission (see S/2012/45). We support the United Nations in playing a coordinating role in international cooperation to combat piracy and in providing more financial and technical support to the relevant countries and regional organizations. We call on countries with the capacities to do so to effectively address the question and, on the basis of respect for the sovereignty of the relevant countries, to provide timely and necessary assistance. The Chinese Government will continue to provide assistance within our capabilities.

The issue of piracy has a profound economic and social background. Piracy occurs at sea but its root causes are on land. Poverty and stalled economic and social development provide fertile ground for piracy. If the problem of piracy is to be solved, an integrated strategy to address the symptoms and root causes is required. We call on the international community to redouble its efforts and play a more active role in helping the countries concerned to eradicate poverty and achieve sustained economic and social development.

Mr. Araud (France) (*spoke in French*): I would like to thank you, Mr. President, for your initiative to convene this debate, which allows us to evaluate maritime insecurity in the Gulf of Guinea, based on the report of the United Nations assessment mission (see S/2012/45). I would also naturally like to thank Mr. Pascoe for his briefing, as well as the representatives of the Economic Community of West African States (ECOWAS) and the Gulf of Guinea Commission.

Piracy and armed robbery in the Gulf of Guinea are a recent source of concern for our Council. However, African States and maritime shippers have been suffering the consequences of this situation for several years. As opposed to the situation in Somalia, acts of piracy in the Gulf of Guinea are usually conducted in areas near the coast and appear to be more opportunistic than planned operations. Nevertheless, their impact on the coastal States' economies is substantial, as it increases the costs of maritime trade and extractive activities. The assessment mission's report demonstrates this very clearly in the case of Benin.

Our political objective must clearly be to support the Gulf of Guinea States, which bear the primary responsibility for ensuring the security of the maritime spaces within their jurisdictions. In this

context, it is up to those same States, concerned regional organizations — ECOWAS, the Economic Community of Central African States (ECCAS) and Commission of the Gulf of Guinea — to identify a regional strategy that the United Nations can support.

In its resolution 2018 (2011) of 31 October 2011, the Council welcomed the intention of Gulf of Guinea States to convene a regional conference. In this regard, we reiterate our encouragement for that initiative. We also welcome the measures undertaken by regional organizations, in particular ECCAS and its maritime security strategy and its Regional Centre for Maritime Security in Central Africa in Pointe-Noire, the Congo. Such good practices deserve to be reviewed at the ECOWAS level. We also call on the various regional organizations to better coordinate their action and their resources so that the maritime zone of the Gulf of Guinea can be monitored in its entirety and not in a piecemeal fashion.

France is acting against maritime insecurity in the Gulf of Guinea. French naval vessels make use of their stops in the region to conduct educational and training activities. In October 2011, the authorities of Equatorial Guinea inaugurated in Bata a new regional naval school that is supported by French cooperation. France is also behind several initiatives aimed at strengthening regional cooperation in the Gulf of Guinea. It organized a regional seminar last November in Cotonou to take stock of the needs of States members of ECOWAS and ECCAS. Its recommendations will be implemented through a $1.6-million programme to reform the maritime security sector in Togo, Benin and Ghana. The first steps have been to underwrite an ECOWAS mission of maritime experts to Libreville and Douala last week to give them the benefit of the maritime structures put in place by ECCAS in recent years, which will facilitate cooperation between those two organizations in the future.

In its capacity as chair of the Group of Eight peacekeeping/peacebuilding experts, in 2011 France also proposed instituting a coordination mechanism among its members — including the United Nations and the European Union — to strengthen maritime security capacities so as to avoid duplication of efforts and to address a lack of training in certain areas.

The European Union is currently looking into financing the establishment of regional mechanisms for training, information-sharing and strengthening the coastguards of the Gulf of Guinea States. The European initiative SEACOP also aims to strengthen the fight against illicit maritime trafficking and to secure ports. Those efforts, however, will be effective in the long term only if they are part of a regional strategy of cooperation among the States of the Gulf of Guinea and of national policies opposing maritime crime, including corruption, as the report of the assessment mission makes clear. The Security Council, the coastal States and the international donors each have a role to play.

We hope that the Secretary-General will continue to keep us informed on the situation in the Gulf of Guinea. We will read with great attention forthcoming reports from the United Nations regional offices in Dakar and Libreville.

We thank Togo for the draft resolution it has distributed and which is currently under discussion. We give it our full support and hope for a prompt adoption.

Mr. Tarar (Pakistan): We thank the delegation of Togo for organizing this meeting on an issue of key importance to the States of West and Central Africa. Our thanks also go to Mr. Lynn Pascoe for his briefing on the situation of piracy in the Gulf of Guinea. We are also grateful to Mr. Abdel Fatau Musah and Mrs. Florentina Adenike Ukonga, representing the Economic Community of West African States and the Gulf of Guinea Commission, respectively.

We appreciate the initiative of the Secretary-General in deploying the assessment mission to study the threat arising from acts of piracy and armed robbery at sea in the Gulf of Guinea. We have carefully read its report (see S/2012/45) and believe that it contains useful recommendations for dealing with that threat.

Pakistan staunchly supports a comprehensive approach against maritime piracy. We have been playing an active role in the fight against piracy by contributing our warships to anti-piracy patrolling off the coast of Somalia since 2009. Increasing piracy in the Gulf of Guinea threatens the economic well-being of several countries of that region. According to the International Maritime Organization (IMO), there were 58 attacks in the region during the first 10 months of 2011, of which 21 occurred off the coast of Benin — a nation whose economy relies overwhelmingly on port activities. According to the report of the assessment

mission, piracy is causing an estimated annual loss of $2 billion to the West African subregion's economy.

Also worrisome are indications of links between piracy and other forms of organized crime, such as oil bunkering and drug trafficking. If left unchecked, such organized crime can further undermine governance and economic development in the affected countries. The climate of insecurity would discourage investments particularly, in the offshore oil sector. We therefore fully sympathize with and understand the concern of the affected countries for taking urgent action to address the situation.

Acting within their existing resources, the States of the region have taken several initiatives to counter piracy, but progress has been hampered by lack of capacity. For example Operation Prosperity between Nigeria and Benin is costing Benin $466,000 per month, which, although it is only 5 per cent of the entire cost of the operation, is unsustainable. Other countries of the region simply lack the capacity and the financial wherewithal to undertake this fight effectively.

The eradication of piracy in a region the size of the Gulf of Guinea cannot be accomplished without a cooperative and collaborative approach involving the countries of the region and international partners. In our view, such an approach may consist of the following elements.

First, there is a need to develop a comprehensive regional strategy to counter piracy specific to the circumstances of the Gulf of Guinea. In this regard, the early convening of the summit of Gulf of Guinea Heads of State would be critical. The strategy needs to take into account strengthening the legal framework at the national and regional levels for criminalizing acts of piracy and prosecuting and punishing persons engaged in such acts; developing mechanisms for cooperation among the respective law enforcement agencies; establishing collective systems for surveillance, information-sharing and joint patrolling in the Gulf of Guinea; addressing links between piracy and other forms of organized crime; and addressing the underlying causes of piracy.

Secondly, pending the formulation of a comprehensive strategy, States of the region must consider interim measures to enhance cooperative action in countering piracy. Thirdly, fighting piracy at sea is a high-cost proposition for which countries of the region need the capacity-building support of international partners. Fourthly, the United Nations and the IMO should assist the countries of the region in synergizing their efforts through the development of a comprehensive regional strategy and making it operational by mobilizing resources and providing technical assistance. Fifthly, in implementing counter-piracy measures, the sovereignty and territorial integrity of the States of the region must be respected.

Finally, in view of the experience of fighting piracy off the coast of Somalia, we would like to underline the importance of taking effective measures urgently to counter piracy in the Gulf of Guinea in order to prevent the situation from getting out of hand. We therefore support the draft resolution under consideration by the Council.

Mr. Cabral (Portugal): I thank the Togolese presidency for giving us another opportunity to further our understanding of the phenomenon of piracy in the Gulf of Guinea, and to discuss what we can collectively do to deal with that threat to regional peace and stability. I also thank Under-Secretary-General Pascoe for his presentation and for highlighting the main findings of the assessment mission report (see S/2012/45). I also welcome the representatives of the Economic Community of West African States (ECOWAS) and the Gulf of Guinea Commission and thank them for their statements.

Portugal sees the problem of piracy in the Gulf of Guinea as a ramification of the wider threat of transnational organized crime in West Africa, which we had the opportunity to discuss last week (see S/PV.6717). As we mentioned then, piracy is linked to other forms of organized crime and benefits from existing criminal networks and their resources.

As the report highlights, piracy in the Gulf of Guinea is not a new phenomenon, but has in recent years become more frequent, more sophisticated in its techniques and more violent. Its effects are felt much beyond the purely security realm, as it disrupts trade and economic activities vital to coastal States. West African economies have reportedly lost about $2 billion of annual revenue as a result of piracy. Benin in particular has seen its shipping activities decline by 70 per cent as a result of attacks in the past two years. Most importantly, piracy affects countries with very different levels of institutional capacity to deal with the problem, and cannot be solved through isolated

measures by each individual State. Therefore, we fully share the central recommendation of the report, namely, the need for a region-wide strategy to fight piracy in the Gulf of Guinea, based first and foremost on the efforts of regional bodies. The political will expressed by the leaders of ECOWAS to work together with the Gulf of Guinea Commission countries and to harmonize their anti-piracy policies is a very encouraging sign. We look forward to the outcome of the planned summit to bring together all the States of the Gulf of Guinea.

Let me add a few thoughts on the role of the international community, and of the United Nations in particular, in contributing to regional efforts.

It is very positive that a number of regional organizations, including ECOWAS and the Economic Community of Central African States (ECCAS), as well as the Gulf of Guinea Commission and the Maritime Organization for West and Central Africa, are paying attention to and addressing the problem of piracy. To be effective, those different efforts must be coordinated, while fully respecting each organization's particular area of competence. The United Nations can play a central role in ensuring the coherence and overall coordination of those initiatives, as well as in mobilizing international assistance to build the capacity of regional organizations in crucial areas such as surveillance, patrolling and information sharing.

We should also try to make good use of existing mechanisms. For example, the ECOWAS Regional Action Plan on drug trafficking, organized crime and drug abuse is a reference framework for initiatives in that area, and it could be enlarged in order to include the threat of piracy. The West Africa Coast Initiative, which encourages the pooling of national knowledge and resources, could also add the issue of piracy to its areas of activity. The same applies to the United Nations Office on Drugs and Crime Regional Programme for West Africa. Best practices from individual countries and bilateral assistance programmes already in place should be shared with regional partners.

International assistance can also be instrumental in helping individual countries and regional organizations to adapt their legal frameworks to enable them to deal more effectively with the changing nature of the threats to security and stability. The creation of regional judicial institutions to deal with the issue of piracy, as mentioned in the report, is an interesting recommendation that, in our view, could be explored by the relevant regional organizations.

As we have learned from the situation in the Indian Ocean, piracy is a complex phenomenon that requires our regular and close attention. Encouraging better capacities, better knowledge and better coordination among the actors in the fight against piracy will prove to be a decisive contribution of the Security Council to regional stability and development.

Mr. Karev (Russian Federation) (*spoke in Russian*): We would like to thank Mr. Lynn Pascoe for presenting the Secretary-General's report (see S/2012/45) on the outcome of the United Nations assessment mission's visit to the Gulf of Guinea region. We would also like to thank Mr. Abdel Fatau Musah and Mrs. Florentina Adenike Ukonga for the information they provided.

The Secretary-General's report confirms that the piracy threat in West Africa is far from being a myth. There have already been human casualties. We were shocked by the recent report of the death at the hand of local pirates of the captain of a vessel who was a citizen of China. In that regard, there is sufficient cause for alarm. Of course, the situation has not yet gotten as far out of hand as it has in the Horn of Africa region. However, if adequate measures are not taken now to address the issue, the problem could get out of hand.

We agree with the basic conclusion of the report to the effect that the region's States and the major regional organizations should take the lead in addressing the problem. In that regard, we welcome the joint efforts of Benin and Nigeria, along with the initiatives of the Economic Community of Western African States, the Economic Community of Central African States and the Gulf of Guinea Commission. We support the early convening of a regional summit on the problem of piracy in order develop integrated anti-piracy strategies.

The specific character of the pirate attacks in the Gulf of Guinea demands that instruments be identified to prevent them. First and foremost, that means strengthening control over coastlines by national coast guards of the region, organizing joint patrols, coordinating activities and exchanging of operational information. Provided that they are implemented in a timely and effective way, we believe that such measures will suffice to adequately resolve the problem.

Unlike the situation off the coast of Somalia, it is a promising sign that those activities will be undertaken by States with established State mechanisms and with trained armies and naval forces, as well as with normally functioning legal and law enforcement bodies that are capable of independently pursuing and prosecuting pirates. In that regard, we believe that the role of the international community is to provide the necessary material and technical support to the States of the region, primarily by equipping and training specialists from their coast-guard services. We agree that the United Nations can play a decisive coordinating role, in addition to helping to mobilize international financial resources to combat the threat of piracy.

Mr. Parham (United Kingdom): I thank you, Mr. President, for arranging and presiding over this meeting. Many thanks also to Mr. Lynn Pascoe, Mr. Abdul Fatau Musah of the Economic Community of West African States (ECOWAS) and Mrs. Florentina Adenike Ukonga of the Gulf of Guinea Commission for their briefings.

As we said in the Chamber during the debate (see S/PV.6717) on peace and security in West Africa and the Sahel held on 21 February, the United Kingdom welcomes the Security Council's focus on threats to maritime security in the Gulf of Guinea. Piracy and armed robbery at sea significantly impact the security of both coastal and landlocked States in the region. Such activities, especially when linked to the trafficking in narcotics, people and weapons, to illegal fishing, oil bunkering and the prevention of international trade, pose a threat to regional peace and security. They also hamper economic development. It is important that such threats to maritime security be addressed in order to harness the benefits that can be delivered by a secure maritime domain. The United Kingdom welcomes Togo's leadership on this issue.

The year 2011 saw a significant increase in the volume and impact of armed robbery and piracy incidents in the Gulf of Guinea, as we have heard. The United Kingdom is extremely concerned about that increase in the number and frequency of attacks, as well as by their increasingly violent nature. Earlier this month, three attacks occurred in just four days, resulting in the deaths of two seafarers. The shipping industry, too, is rightly troubled by those incidents. It is unacceptable for innocent seafarers to face the risk of violent attack and death while transiting that area.

In the past year, incidents of piracy and armed robbery at sea in the Gulf of Guinea have spread along the coast and further out to sea, including some evidence of the use of mother ships. That is a regional problem, not one that is limited to the territorial waters of Nigeria and Benin. It is in the interest of all States in the region to work together in the shared goal of preventing further destabilization.

States of the region could of course harness considerable benefits by creating a secure maritime domain. We therefore urge States of the region to declare their exclusive economic zones. That will afford States the authority to enforce their national laws, including those related to fishing, protecting the environment, including from the dumping of waste, and armed robbery at sea. It will also enable national control over all economic resources within the exclusive economic zones, including with regard to ocean life, mining and oil exploration.

In that regard, we encourage States to continue to coordinate on maritime activity, both domestically and regionally, as well as with the United Nations Office for West Africa. It is important that action be taken now to prevent the situation from further deteriorating. We hope that West African heads of State will be able to prioritize activities to tackle the range of maritime security threats facing their countries.

The United Kingdom strongly welcomes the leadership shown by ECOWAS and the Economic Community of Central African States to work together on maritime security off the coast of West Africa. We also warmly welcome the industry-led initiative to create a maritime trade information-sharing centre, following the example of the Maritime Security Centre (Horn of Africa) website, which has to be proved very valuable in tackling piracy off the coast of Somalia.

This is a timely and important debate, and I am grateful for Togo's leadership on this issue.

Mr. Hardeep Singh Puri (India): At the outset, let me join others in commending you, Sir, and your delegation for organizing this meeting on an issue that is becoming a major threat to maritime navigation, trade and economic activities in the Gulf of Guinea. I would also like to thank Under-Secretary-General Lynn Pascoe for his briefing and for introducing the Secretary-General's report on the United Nations assessment mission on the subject (see S/2012/45). I would also like to place on record our appreciation to

the representatives of the Gulf of Guinea Commission and of the Economic Community of West African States (ECOWAS) for their valuable statements.

The problem of piracy in the Gulf of Guinea was first discussed by the Security Council during the Indian presidency of the Council in August last year. Since then, there have been several new acts of piracy in the Gulf of Guinea and the problem has assumed more serious proportions. Its impact is felt increasingly by all littoral States, and its seriousness is demonstrated by the participation of a number of delegations in today's debate. I thank all participants for sharing their assessments with us.

The piracy off both coasts of Africa illustrates the degree of instability prevalent in the region and the reach of organized terrorist and criminal groups. They are targeting oil and chemical vessels, as well as oil drilling platforms, in the Gulf of Guinea and perpetrating severe violence against their captives. The region produces more than 5 million barrels of oil per day and three-quarters of the world's supply of cocoa. Pirate attacks are thus adversely affecting the emerging oil industry of the region, as well as commercial shipping and mariners.

The Secretary-General's report states that piracy in the Gulf of Guinea is already causing an annual economic loss of $2 billion, which is a significant amount when compared to the annual gross domestic products of the countries of the region. As regional stakeholders have said in their statements today, a large number of unemployed young people are becoming attracted to the business of piracy and maritime robbery.

The evolving business model of piracy involves low cost and risk, but yields high returns. While such socio-economic issues as poverty and unemployment may be abetting piracy, the main causes have to do with the limited institutional capacity of the countries in the region. Addressing problems such as the proliferation of weapons, poor naval infrastructure, and weak law enforcement and prosecution systems must become an integral part of counter-piracy efforts. Otherwise, like piracy off the coast of Somalia, piracy in the Gulf of Guinea can quickly assume the intensity and proportion of an organized cartel in the countries of western Africa.

India has been at the forefront of highlighting the menace of piracy off the coast of Somalia and stressing the urgent need for the international community to work towards a comprehensive counter-piracy strategy. India is also concerned about the surge in piracy in the Gulf of Guinea, including its economic and social costs. While the two situations are quite different in proportion at this stage, it is quite possible that the failure of the international community to act decisively against piracy off the coast of Somalia could have spawned a new surge in piracy in the Gulf of Guinea.

The time has now come for the Council's attention to addressing the problem of piracy to be translated into a concrete plan of action. It being a regional problem, the action taken to address it must involve the full cooperation of the international community, led by the United Nations, with the countries of West Africa and regional and subregional organizations. In that connection, we welcome some of the steps that have been taken, such as the establishment of a subregional coastguard network in West and Central Africa, the formulation of the maritime security strategy of the Economic Community of Central African States (ECCAS), the establishment of the Regional Centre for Maritime Security in Central Africa, and the creation of the Gulf of Guinea Commission and the Maritime Organization of West and Central Africa.

These initiatives have helped create a platform for Governments to formulate a collective approach to the problem. Also, the ECCAS maritime security strategy has yielded positive results in the zone comprising Cameroon, Equatorial Guinea, Gabon and Sao Tome and Principe. These efforts should be intensified and should include joint counter-piracy efforts ranging from patrolling and surveilling coastal waters to sharing information and intelligence and building the capacities of naval forces. In addition, it is also critical to strengthen the legal system to ensure effective and expeditious prosecution.

Greater coherence among the regional States and organizations will help to support the full and sustained implementation of these efforts. In that connection, we welcome the Secretary-General's proposal to facilitate a regional summit of Heads of State. The United Nations should also assist in the mobilization of resources. United Nations agencies in the region, particularly the United Nations Office for West Africa, the United Nations Regional Office for Central Africa, the United Nations Office on Drugs and Crime and the International Maritime Organization, have an important

role to play in regional counter-piracy efforts and in addressing the related problems of terrorism, the illicit trafficking of drugs and the proliferation of weapons, which all conspire together to destabilize the region.

In conclusion, India stands ready to contribute to international efforts aimed at increasing the effective cooperation among States in the region in tackling the threat of piracy and armed robbery at sea.

Mr. Sangqu (South Africa): I would like to take this opportunity to thank you, Sir, and your delegation for organizing this important discussion. We thank the Under-Secretary-General for Political Affairs, Mr. Lynn Pascoe, for his informative briefing on the report of the assessment mission on piracy in the Gulf of Guinea (see S/2012/45). We also thank Mr. Musah and Mrs. Ukonga for their statements on behalf of the Economic Community of West African States (ECOWAS) and the Gulf of Guinea Commission, respectively.

At a time of global financial and economic hardship, piracy in the Gulf of Guinea has severe financial and security implications for the States concerned and diverts important financial resources from key national development and socio-economic priorities to maritime security. The economic loss to the region of West Africa that results from the scourge of piracy is estimated to be $2 billion per annum.

South Africa welcomes the comprehensive report of the assessment mission on piracy in the Gulf of Guinea. The report highlights the cost and economic impact of piracy in the Gulf of Guinea, as well as the numerous strategies implemented at the country, bilateral and various subregional levels to fight the scourge. We welcome these concrete actions as a demonstration of political will by the leaders of the region to combat piracy.

We share the concern and observation of the assessment mission that the growing evidence of piracy in the Gulf of Guinea constitutes yet another major threat to the peace, security and the economic interests of the countries of the region. The region has seen an increase in the number of attacks in recent months, and the violent nature of these attacks has brought greater attention to the growing problem of piracy and armed robbery at sea off the coast of West Africa.

The Secretary-General's report correctly draws attention to the fact that no country in the region appears to have the capacity to tackle maritime insecurity alone. We therefore commend the efforts already made by the affected countries, including the joint patrols by Nigeria and Benin in the region. However, these patrols in themselves are not sustainable and more needs to be done. The ongoing efforts of the Economic Community of Central African States (ECCAS), ECOWAS and the Gulf of Guinea Commission to address the threat of piracy are also commendable.

It is clear that numerous gaps exist at the national and regional levels, and we welcome the very practical and useful recommendations to address the scourge of piracy in the Gulf of Guinea. They include, among others, the strengthening of national legal frameworks and of the capacities of States' criminal justice systems, integrated and coordinated regional responses to maritime security challenges, and international support to the States of the region. South Africa reiterates its view that piracy cannot be tackled in isolation and underscores the importance of addressing the phenomenon of piracy in a comprehensive manner that includes combating transnational crime and responding to the root causes of the challenge, such as youth unemployment.

It is clear from the report that the countries of the region lack adequate resources and capacity to alone address the issue of piracy and armed robbery at sea. We therefore welcome the intention of ECOWAS, ECCAS and the Gulf of Guinea Commission to convene a summit of Gulf of Guinea heads of State and Government in order to develop a comprehensive anti-piracy strategy that will assist the countries in the region to develop their capacities to combat piracy and armed robbery at sea. In that regard, we encourage the countries in the region to assert their ownership of the problem and take a leadership role in combating piracy. We look forward to their recommendations in that regard.

We call on the international community and the relevant United Nations agencies to provide the necessary support for that regional initiative and related efforts, including through the provision of financial and technical assistance. For its part, South Africa stands ready to assist the countries affected by the scourge of piracy in the West Africa region to the best of its abilities.

Mr. Rosenthal (Guatemala) (*spoke in Spanish*): Thank you, Mr. President, for convening today's

meeting to address the growing problem of piracy and armed robbery in the Gulf of Guinea. I also welcome the presence of Mr. Lynn Pascoe here today and thank him for his briefing on the issue. I am also grateful to the Secretary-General for his report (see S/2012/45), which both contains the results of the United Nations assessment mission and forms the basis for today's debate. We also express thanks for the briefings that were made by Mr. Abdel Fatau Musah and Mrs. Florentina Adenike Ukonga.

The mission to which I have just referred was needed in order to assess the extent of the threat of piracy and evaluate the national and regional capacity to safeguard maritime security in the region. We take note of the recommendations contained in the report and believe that efforts at the national, regional and international levels are necessary in order to address and fight the phenomenon of piracy.

The Gulf of Guinea is home to countries that have abundant natural resources and basic goods. Those resources and their trade represent the livelihoods and source of employment for millions of people, and they will not cease to be an attractive target for criminal acts until a strategy to fight against them is put in place.

The growing number of recorded cases of armed robbery in the Gulf of Guinea constitutes unequivocal evidence that the problem must be addressed with holistic initiatives and strategies of a regional nature. Special attention must be given to countries such as Benin because, due to the intense fight against piracy initiated by neighbouring countries, the problem has spread to the most vulnerable countries of the region. That is why efforts such as the joint maritime patrols being carried out by Nigeria, Benin, Cameroon and Chad can potentially serve to share the burden and fight the scourge effectively.

The fight against the phenomena of transnational organized crime, armed robbery at sea and piracy surpasses the national capacity of affected countries to eradicate them. It is therefore both a threat to the stability of the entire region as well as a collective responsibility. The response to those threats jeopardizes socio-economic development, international trade and foreign investment in the region.

In addition, we echo what was said by the representative of the Gulf of Guinea Commission on the necessity for the Security Council to use more precise terminology, since the Council has sometimes used the terms "piracy" and "armed robbery at sea" as if they were interchangeable. When piratical acts are committed within the territorial waters of a State, they are not qualified as piracy under United Nations Convention on the Law of the Sea, but instead as armed robbery at sea. The report before us suggests that we are mostly dealing with the latter. We therefore believe that greater attention should be paid to the precise context and circumstances of each situation, as well as to standards shared by all the countries in the region.

The expected regional summit of the States of the Gulf of Guinea on piracy should receive all the necessary support from the international community, as it has the potential to jumpstart and accelerate the efforts and different initiatives in order to better coordinate the procedures that the Economic Community of Central African States (ECCAS) and the Economic Community of West African States (ECOWAS) are endeavouring to set up. The goodwill and readiness of the affected countries to address the threat is not in question, but the lack of resources for implementing those various initiatives and the weakness of institutions are indeed worrying.

The lessons learned and best practices that may arise from the ECCAS maritime security strategy can help the initiatives put forward by ECOWAS to be more on point and more effective in the fight against piracy and in achieving the needed maritime security, despite the lack of existing resources.

We believe that the Gulf of Guinea Commission should be composed of more West African countries in order to fulfil its goal of serving as a bridge between both economic communities. We invite ECOWAS and ECCAS to continue their efforts to work together and formulate the broad and integrated regional strategy needed to fight against piracy in the Gulf of Guinea, in close collaboration and coordination with the Gulf of Guinea Commission and the Maritime Organization of West and Central Africa.

We believe that all progress must be made on the basis of the memorandum of understanding on the establishment of a subregional integrated coast-guard network in West and Central Africa. That memorandum serves as the basis for the national and regional action plans that should be drawn up by the States of the region in order to expeditiously implement the creation

of the subregional integrated coast-guard network in West and Central Africa.

Finally, the threat that the problem poses to the stability of the affected countries and to the potential for trade in those countries to bring about economic development and the subsequent eradication of poverty is a cause for concern. We agree with the Secretary-General that the fight against piracy must not be limited to attacking the problem at sea. Efforts must be made to address the underlying causes that generally arise on land. Although we acknowledge that progress has been made in the ongoing discussions in the region and we recognize that assistance from the United Nations and the international community is needed, we believe that concrete steps must be taken, such as the holding of the regional summit of States of the Gulf of Guinea on piracy and the continuation of the joint maritime patrols.

In conclusion, my delegation is ready to contribute to international efforts to implement effective cooperation among States in tackling the threat of piracy and armed robbery at sea.

Mr. Loulichki (Morocco) (*spoke in French*): I would like to start by thanking Togo, on Morocco's behalf, for having taken the initiative to convene this debate, thus completing the general overview of the situation in West Africa with today's focus on the Gulf of Guinea. Your presence, Mr. Minister, and that of the Minister of Defence of Benin clearly demonstrate the importance that the two brother nations represented attach to this debate. I also wish to thank Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, for his clear and concise briefing on the important assessment work undertaken by the United Nations in the countries affected by piracy in that maritime region. The light shed by the representatives of the Economic Community of West African States and the Gulf of Guinea Commission is very useful to our discussions.

In solidarity with the threatened countries, in recent years my country has continued to alert the international community to the developments and threats posed by the phenomenon of piracy in that region. It is quite logical that Morocco should welcome with satisfaction the work undertaken by the United Nations assessment mission that visited Benin, Nigeria, Gabon and Angola in December 2011 to evaluate the scope of the challenges posed by that scourge in the region. We are extremely interested in the follow-up to the report drawn up by that mission (see S/2012/45).

The impact of piracy in the Gulf of Guinea is no longer just a security matter, but also a trade and economic issue. International shipping, international maritime trade and energy security, as well as the economies of the coastal and landlocked countries of the region, are significantly and worryingly affected by that alarming phenomenon. The first observation of the assessment mission's report is that many States of the region have difficulties in terms of their capacities to effectively combat the phenomenon. The second observation is that, to date, the various subregional cooperation mechanisms have been unable to bring tangible, satisfactory and lasting responses to that scourge. We therefore support the assessment mission's recommendations concerning national and regional responses to the threat of piracy in the Gulf of Guinea.

In terms of the capacities of States of the region, we believe that the United Nations system is in a position to play a key role in helping States, in particular with the assistance of the United Nations Office on Drugs and Crime, to develop their capacities and their national strategy to combat piracy and transnational organized crime, including the drawing up of a national legal framework that makes it possible to charge and try alleged perpetrators of acts of piracy and to promote cross-border judicial and security cooperation.

The material, technical or financial contribution of several bilateral partners seeking to support the countries of the region, from whom we have received very clear and precise information this morning, must be commended. We support its continuation and strengthening, as well as the exchange of good practices among countries of the region.

With regard to regional cooperation, my country has invested a great deal in establishing and strengthening cross-regional cooperation among the African Atlantic coastal States in order to meet the challenges posed by that ocean. My country welcomes the political decision taken by the countries of the region to convene a regional summit among the presidencies of the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission. That meeting will provide the opportunity to develop an in-depth dialogue and cooperation mechanism at the

interregional level between the two subregional organizations and with the Gulf of Guinea Commission and the Maritime Organization of West and Central Africa. More precisely, it will enable the countries of the region to establish a comprehensive cross-regional cooperation mechanism, facilitating exchanges and the pooling of efforts to make that region more secure.

We agree with the report's recommendation on the need to strengthen the regional security architecture and to ensure a greater balance between the mechanisms of Central Africa and West Africa.

Any measure seeking to combat piracy in the Gulf of Guinea will be sustainable only if the underlying causes allowing the spread of that scourge are also addressed. In that regard, it is crucial to include in any anti-piracy strategy elements linked to strengthening institutions responsible for implementing the rule of law and the fight against transnational organized crime, as well as development issues in particular.

All challenges posed not only by piracy in the Gulf of Guinea, but also by transnational organized crime and terrorism in West and Central Africa, must also be addressed and considered in the context of a comprehensive strategy. The international community must focus on the connection and ties among the various criminal and terrorist networks that are increasingly destabilizing the African continent. As Council members know, the awareness of that connection has led the ministers responsible for shipping and port activities of the Ministerial Conference of Atlantic Coastal States to hold talks in Libreville since May 2011 on cooperation to secure their infrastructure and to protect merchant shipping from such threats.

The adoption of resolution 2018 (2011) is an important landmark in the debate on piracy in the Gulf of Guinea. It is essential that the international community continue to pay particular attention to that matter and support the States of the region in combating the scourge. For its part, Morocco will continue, together with you, Mr. President, and our friends of South Africa, to keep this challenge at the heart of the Security Council's interest. Finally, my delegation would like to indicate its full support for the draft resolution on piracy in the Gulf of Guinea, submitted by your country.

Mr. Osorio (Colombia) (*spoke in Spanish*): In expressing my appreciation for the convening of this important discussion, I would also like to thank Mr. Abdel Fatau Musah and Mrs. Florentina Adenike Ukonga for their briefings and Under-Secretary-General Lynn Pascoe for his important comments on the report of the Secretary-General on the assessment mission on piracy in the Gulf of Guinea (see S/2012/45).

Piracy and armed robbery in the Gulf of Guinea region affect the security of international shipping and threaten the trade and economic development of the countries of the region. Piracy affects not only coastal States, but also landlocked countries that depend on access to the sea for their imports and exports. According to the report, piracy results in an annual loss of about $2 billion to the economy of the West African subregion.

The problem of piracy and armed robbery in the Gulf of Guinea cannot be tackled in a unilateral or isolated manner. All affected countries should combine their efforts to avoid the success of one country resulting in piracy activities relocating to more vulnerable countries.

For that reason, any lasting and effective solution must include genuine, coordinated regional and international efforts to develop a comprehensive strategy aimed at strengthening the capacities of the countries in the region in the fight against that crime.

Piracy attacks in the Gulf of Guinea are neither opportunistic nor isolated events. Quite the contrary, there is increasing evidence that piracy activity is systematic and organized. Therefore, precise, detailed and verified data on the scope, modalities and specific zones of the incidents is necessary in order to form a better idea of the character and nature of the phenomenon before us and develop initiatives adapted to the particularities of each case.

The international community should support the efforts of States of the region in exercising their sovereign responsibility to fight piracy. In that regard, it is essential to maintain the leadership role of the States concerned in applying solutions against that scourge.

Technical assistance for strengthening legislative and judiciary systems in fighting this crime is of major importance. Equally important are the exchange of

information and the establishment of a framework to gather, analyse and disseminate information. At the same time, technical, material and financial support must be provided towards building capacities in the maritime security sector of various States of the region.

We believe that any lasting and effective solution to the problem of piracy in the Gulf of Guinea requires the implementation of a regional approach to maritime security that includes the various initiatives developed by the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Commission of the Gulf of Guinea, as well as the participation of the African Union.

As is the case in other situations considered by the Council, a viable response to that crime should include factors identified by the assessment mission, such as high rates of youth unemployment, wide income disparity within society, the uncontrolled circulation of illegal weapons and the prevalence of corruption.

Colombia supports the early convening of a regional summit of heads of State of the Gulf of Guinea, as an appropriate forum to further develop a broad regional strategy to combat piracy. In that regard, the United Nations is called upon to provide assistance to national authorities and regional organizations in relation to the matter and to coordinate international assistance in support of regional efforts aimed at fighting that crime.

Mr. Wittig (Germany): At the outset, I would like to thank Under-Secretary-General Pascoe for his very useful briefing, as well as the United Nations assessment mission on piracy in the Gulf of Guinea for its report (see S/2012/45). I equally thank Mr. Abdel Fatau Musah of the Economic Community of West African States (ECOWAS) and Her Excellency Mrs. Florentina Adenike Ukonga of the Commission of the Gulf of Guinea (CGG) for their contributions.

In addressing the scope of the threat of piracy in the region, the report confirms an alarming situation. Piracy and armed robbery in the Gulf of Guinea have risen and pose a growing threat to economic development and security for the States in the region and beyond. In that regard, let me focus briefly on two points, namely, the need for a comprehensive, integrated approach to maritime security and the importance of enhanced coordination among the affected States and regional organizations.

First, in order to increase maritime security in the Gulf of Guinea, an integrated concept is required. Questions about how to prevent piracy and how to combat it, as well as the political and legal framework of dealing with pirates and their supporting networks, need to be tackled. An effective approach will rely very much on the affected States' capacities to deploy well-trained and well-equipped security forces as well as competent judicial institutions, both acting according to principles of the rule of law. A comprehensive approach should adequately address the immediate threat, while at the same time deal with the root causes and conditions conducive to the growth in piracy and armed robbery. Where applicable, lessons learned from fighting piracy off the coast of Somalia should be taken into account.

My second point relates to the significance of regional leadership. In that regard, we welcome the initiatives taken by States of the region and regional organizations such as ECOWAS, the Economic Community of Central African States (ECCAS) and the Commission of the Gulf of Guinea. Those include adoption of the ECCAS strategy on maritime security; the creation of the ECOWAS subcommittee on maritime security; and the preparatory steps taken by ECOWAS towards developing an integrated maritime security strategy, and the increased cooperation between ECCAS and ECOWAS.

In that regard, we strongly encourage ECOWAS, ECCAS and the CGG to work on the organization of the joint summit at which they intend to develop a coherent regional anti-piracy strategy. Cooperation and coordination among the affected countries, as well as with and among the regional organizations, including the African Union, need to be further enhanced.

The international community, including the United Nations and its regional offices — the United Nations Regional Office for Central Africa and the United Nations Office for West Africa — should support those efforts. The European Union started to focus on the issue in 2010, and is carrying out projects that aim in particular to support the capacities of ECOWAS and ECCAS and cooperation with the International Maritime Organization. Germany will continue to be engaged in building capacities of the affected States and regional organizations in order to

tackle the challenge of piracy, which undermines the security and economic development of the region.

My delegation supports the draft resolution that is currently being negotiated, as well as its swift adoption.

The President (*spoke in French*): I shall now make a statement in my capacity as Minister for Foreign Affairs of Togo.

Togo is pleased by the fact that this Security Council debate on piracy in the Gulf of Guinea is taking place just a few days after the meeting of the Council that was devoted to the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region (see S/PV.6717), over which Togo's Head of State personally presided. Today's debate therefore represents the determination of the Security Council to provide the necessary responses to the new threats to peace and security that the States in the region of the Gulf of Guinea now face.

Before continuing, I would like to thank Under-Secretary-General Lynn Pascoe for his briefing to the Council on the issue under discussion. I also wish to again express my country's gratitude to Secretary-General Ban Ki-moon for his excellent initiative in deploying, last November, to those countries directly affected, a United Nations assessment mission on piracy in the Gulf of Guinea.

The observations contained in the report of the assessment mission (see S/2012/45) perfectly illustrate the gravity of the threat posed by piracy in the Gulf of Guinea. For Togo, those observations inform the Security Council on the alarming nature of the situation. At the same time, they justify our serious concern about the implications of the threat on peace, security, stability and the economic development of the region. Those concerns are exacerbated by the ever-clearer links between piracy and other forms of organized crime in the region, as was stressed during the 21 February debate to which I just referred. Indeed, the statistics contained in the report show that from 2010 to 2011 there was an alarming increase in the number of attacks in the West African sector of the Gulf of Guinea. The Republic of Benin, which is suffering the consequences of that increase, has witnessed a precipitous drop in activity in the port of Cotonou. The considerable financial losses suffered by the country are clear evidence of the disastrous impact of piracy on the economies and the strengthening of economic governance in the region.

In order to address that grave situation, the States of the Gulf of Guinea have taken joint initiatives to deal with the scourge, including in particular the programme known as Operation Prosperity, under which joint patrols are being carried out by the Nigerian and Beninese security forces off the coast of Benin.

Nationally, and in order to strengthening its legal arsenal in that respect, the National Assembly authorized the Government of Togo last November to ratify the international Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, of 10 March 1988. Furthermore, the building of national actors' capacities to combat piracy enabled the Togolese navy, on 8 February, to repel a pirate attack against a Panamanian vessel.

At the regional level, the States members of the Economic Community of Central African States (ECCAS) have established a comprehensive maritime security framework: the West African Regional Maritime Security Centre. In addition, the States concerned have adopted a funding mechanism whereby they pool their maritime taxes into a single community tax so as to finance maritime security.

We also welcome the determination reiterated by the heads of State of the Economic Community of West African States (ECOWAS), during the summit held on 27 and 28 January last, to enhance cooperation with the Gulf of Guinea Commission and all stakeholders in order to combat piracy.

Togo believes that, while we await the holding of the conference of heads of State and Government of the States of the Gulf of Guinea, these approaches should be supported and encouraged in order to promote exchanges of information and experience. However, as is made clear in the report of the Secretary-General, despite the resolve of those States and their efforts to eradicate piracy, on an individual basis or within the framework of bilateral cooperation, our countries' national and regional capacities are insufficient to allow them to alone effectively put an end to or even contain that threat.

It is therefore imperative that a collective approach to the problem be taken in order to prevent this evil, once addressed at the national or subregional

level in the Gulf of Guinea area, from spreading elsewhere. The increase in the number of pirate attacks off the coast of Benin, even as that number has begun to diminish off the coast of Nigeria, makes clear the importance of international support in helping to deal with this scourge.

It also goes without saying that piracy in the Gulf of Guinea poses a threat not only to the countries of the region but also to international trade and seagoing staff, some of whom are from other regions of the world. Hence the combat against piracy requires joint efforts on the part of all regions and cannot be left to the countries of the Gulf of Guinea to deal with alone.

Togo wishes to commend and encourage the various forms of support provided to Benin and other countries of the subregion by various partners, including France, the United States of America, China, the European Union and INTERPOL, to enhance their capacity in the field of maritime security.

My country believes that given what is at stake, the international community has a very important role to play. That is why we endorse the proposal that the United Nations encourage the countries of the region to take the measures necessary to mobilize international support for the activities being carried out in the region and help coordinate international assistance, particularly for the implementation of a comprehensive strategy.

The upcoming adoption by the Security Council of the second draft resolution on the issue of piracy in the Gulf of Guinea reflects the commitment of the United Nations and that of the international community as a whole to working with resolve to combat maritime piracy jointly with the States of the Gulf of Guinea.

Togo reiterates its sincere thanks to the members of the Security Council for their contributions in that regard and hopes that the implementation of the aforementioned resolution will help to resolve the problem.

The President (*spoke in French*): I now resume my functions as President of the Security Council.

I give the floor to the representative of Benin.

Mr. N'Douro (Benin) (*spoke in French*): I should like at the outset to warmly congratulate you once again, Sir, on your country's assumption of the presidency of the Security Council for the month of February 2012. My country, Benin, welcomes the particular attention that the Security Council, under the presidency of Togo, is devoting to security problems in Africa, as security is an essential precondition for the sustainable development of our countries.

Mr. President, I should also like to take this opportunity to pay tribute to your predecessor, the Ambassador of South Africa, for his outstanding leadership during his term and for the praiseworthy results achieved for both the international community in general and for Africa and its strategic partnership with the United Nations. I also pay tribute to the contributions made by the Under-Secretary-General for Political Affairs, Mr. Lynn Pascoe; the representative of the Economic Community of West African States (ECOWAS), Mr. Abdel Musah; and Mrs. Florentina Ukonga, Deputy Executive Secretary of the Gulf of Guinea Commission.

Last Tuesday, in this very Chamber, the President of the Republic of Togo, His Excellency Faure Gnassingbé, personally led a high-level debate on transnational organized crime in West Africa and the Sahel region (see S/PV.6717). The objective was to identify the synergies necessary to wage a comprehensive war against this faceless enemy, which is inflicting such suffering on the extremely vulnerable countries of that region of the African continent.

Today's debate, during which the Council is considering the report (see S/2012/45) of the assessment mission dispatched by the Secretary-General of the United Nations to the countries of the Gulf of Guinea, in particular to my country, Benin, is a logical follow-up to the debate of 21 February 2012 on transnational organized crime. Indeed, those two phenomena are closely interrelated, in terms of both their modus operandi and their very nature. They represent a real challenge to the Governments of the region in the exercise of their sovereign functions.

The Government of Benin aligns itself with the conclusions of the United Nations assessment mission. We agree with the analysis contained in the report under consideration, which eloquently sets out the links among transnational organized crime, piracy and armed robbery at sea. These phenomena are fuelled by rock-solid criminal solidarity combining lucrative fraudulent activities, such as oil bunkering and trafficking in children, cocaine, counterfeit medicines and cigarettes.

In 2011 alone, 21 attacks were reported on vessels off the coast of Benin. From January to October of that year, 58 maritime attacks were carried out off the coast of West Africa, including 18 in Nigeria, seven in Togo, two in Ghana and one in Côte d'Ivoire. These attacks have dire political, economic, environmental and security consequences for our countries. Pirate attacks are disastrous for the security and economies of the Gulf of Guinea region in general, and in particular for the activities of the autonomous Port of Cotonou, which is the economic lung of Benin. Indeed, the economy of Benin depends to a large extent on the fees and transit permits raised from the autonomous Port of Cotonou. The port's activities represent 70 per cent of the country's gross national product; they generate 80 per cent of the revenue of a national budget that depends on tax income and represent 90 per cent of trade with the interior. The autonomous Port of Cotonou is a natural port for the landlocked countries of the hinterland — Niger, Burkina Faso, Mali and Chad — which engage in the export and import of their products there.

Since the first attacks recorded off the coast of Benin, the number of vessels entering the Port has fallen by 70 per cent and insurance premiums have soared. In the face of the doubling of insurance premiums, a number of vessels have decided not to use the Port of Cotonou, whereas the revenue drawn from the Port is essential to ensuring the functioning of the State of Benin. The situation has arisen at a time when we had been hoping to see dividends from the major investments made to modernize the Port's infrastructure, with the assistance of the United States of America within the framework of the Millennium Challenge Account.

The President of the Republic of Benin, Mr. Boni Yayi, therefore acted speedily to alert the international community and the Security Council to the issue of piracy in the Gulf of Guinea. I am pleased to report that Benin's appeals for assistance received a prompt and useful response from Secretary-General Ban Ki-moon and the Security Council through the adoption of resolution 2018 (2011). The dispatch of the United Nations assessment mission to the field has allowed us to identify the measures necessary to design and implement a coherent national and regional strategy.

National and bilateral efforts have been stepped up to address the scourge. I should like to highlight in particular the positive impact of the joint patrols conducted by the navies of Nigeria and Benin off the coast of Benin. The joint patrols are a component of Operation Prosperity, launched on 28 September 2011. Four hundreds sorties have been carried out, including 316 by the Benin navy. The sorties represent 3,668 hours at sea, of which 1,278 have been conducted by the Benin navy.

In the context of the Operation, the Chief of Staff divided part of Benin's coastline into holding areas for vessels, which are invited to drop anchor close to the coast in an area that is accessible to the patrol boats participating in the Operation. This measure has allowed them to be grouped together in order to ensure their greater security. These measures are supported by enhanced joint patrols conducted 24 hours a day close to the anchorages. Similarly, a permanent radar and radio watch has been established, allowing immediate responses to distress calls. Since the operation was launched, no further has been reported in the territorial waters of Benin.

Beyond these very expensive joint patrols, the Government of Benin has made substantial efforts, drawing on its own domestic resources, to enhance its naval capacities, with the support of its partners and in particular France, the United States of America, the European Union and China. Other Member States, including the Netherlands, have indicated their intention to provide support. Through me, the Government of Benin expresses its deep gratitude for their active and spontaneous solidarity.

A second semaphore system has been installed, complementing the existing semaphore in Cotonou. It allows us to sweep the entire coast of Benin and a good part of the Togolese coast. With the deployment in March 2012 by the Government of Benin of patrol ships commanded by the Benin naval forces, 10 to 15 people will be able to patrol the high seas 24 hours a day over a 10-day period to dissuade attacks on vessels off our coast. Benin is also implementing an import-control programme aimed at ensuring the effective control of cargoes by scanning containers, which will also ensure transparency in the handling of maritime cargo and limit the opportunities for malfeasance during customs formalities. Furthermore, we have established a canine brigade of sniffer dogs to detect drugs, explosives and all other forms of contraband subject to piracy and armed robbery at sea.

With the help of the United States of America, the Government of Benin has formulated and enacted a national maritime security and safety strategy, which will promote the growth and development of the maritime economy, allow for the free movement of persons and goods along major strategic maritime routes off our coasts, enhance security in ports and port installations, and combat illicit transnational activities and maritime crime, such as armed robbery in territorial waters and piracy on the high seas.

The strategy is supported by a participatory approach involving all stakeholders in its formulation. It is based on the following measures: the definition of measures to protect the coasts; the delimitation of maritime borders and the establishment of partnerships with neighbouring countries; the involvement of strategic partners in the training of human resources and the provision of the logistical support necessary to strengthen our national capacities; and the enhancement of our cooperation with the United Nations and bilateral partners to safeguard the free movement of persons and goods through that important maritime route.

Efforts are under way at the regional level, as represented by the meeting of experts from ECOWAS and the Economic Community of Central African States (ECCAS), organized in January in Abuja to consider the draft integrated regional strategy for maritime security and safety. The meeting set the stage for the regional economic communities to play a leading role in coordinating efforts to combat maritime threats in the Gulf of Guinea, in line with the integrated maritime strategy adopted by the African Union. The Abuja meeting took place in the context of the preparations for the regional summit mentioned in resolution 2018 (2011). A second meeting of ECOWAS and ECCAS experts will be held in Cotonou in March.

Benin welcomes France's decision to support the efforts to be made by Benin, Togo and Ghana to preserve maritime security along their coasts. The support will be provided through an initial €800 million in funding, which France has put at the disposal of our three countries in combating maritime piracy and armed robbery at sea.

Combating maritime piracy and armed robbery in the Gulf of Guinea entails significant stakes. Maritime insecurity poses a threat to the exclusive right of coastal States to comprehensively exercise sovereignty over their territorial waters. That also serves to underscore the need for clearly delimiting borders. In addition to those basic political requirements, we must also not underestimate what is at stake economically.

The Gulf of Guinea is an extremely important maritime route for international trade. The area is estimated to contain enormous petroleum resources, which are now estimated at 14 billion barrels. That, along with its natural gas deposits and fishing resources, makes this a first-rate strategic zone for the global economy.

Fishing resources continue to be subject to unchecked poaching owing to illegal undeclared fishing. That represents an annual loss of $20 billion to the countries of the Gulf of Guinea, according to a study published in 2007 by the Food and Agriculture Organization.

We fear that, if the region's public authorities are not able to carry out their functions consistently, the growing number of oil companies, along with their increasing activities in the region, could lead to a global environmental catastrophe.

Ensuring security in the Gulf of Guinea is essential to promoting investment and restarting development for the countries of the region, making it a dynamic area for renewal and growth at the global level.

There is a need for the international community to respond, while there is still time, to the new threats affecting the region by piracy and armed robbery at sea. There is also a need to face the problems posed by junked ships and decommissioned vessels abandoned along our coasts, which provide transit points for criminal groups, pirates and all sorts of traffickers. I should like to draw the Council's attention to a threat report prepared by our navy's Chief of Staff, which has been transmitted to the Council.

There are currently a dozen abandoned vessels along Benin's coasts. Their existence is a genuine threat to Benin, which has neither the means nor the necessary expertise to deal with them. I should like here to urgently appeal to our partners to help us to get rid of these ships that, above and beyond threatening security, pose a major risk of pollution. Several of those vessels harbour toxic substances, which have already produced victims among some of the people in their vicinity.

The threats to the Gulf of Guinea are enormous and pose a threat as well to international peace and security. They should be addressed as such by the international community, which would benefit from developing an anticipatory approach to contain the damage.

The international community should resolutely support the efforts of the countries of the Gulf of Guinea to control piracy and armed robbery in the Gulf of Guinea. Relenting in those efforts will have an immediate and direct effect on the frequency and ferocity of such attacks.

Benin believes that combating this scourge call for resources that are largely beyond our reach. We therefore hope that the Security Council, which very early on grasped the real scope of this threat, will adopt the recommendations contained in the assessment mission's report before it, with a view to scrupulously implementing them at both the national and regional levels as part of a commitment to synergistic efforts to combat damaging activities to maritime safety and security. The stability of our countries is at stake.

The President: I thank Minister of State N'Douro for his eloquent and instructive statement.

I now give the floor to the representative of the Congo.

Mr. Balé (Congo) (*spoke in French*): On 21 February, the Security Council held an open debate (see S/PV.6717) on the impact of transnational organized crime on peace, security and stability in West Africa and the Sahel region. Today, the Togolese presidency has convened another debate on peace and security in Africa, this time to consider the problem of maritime piracy in the Gulf of Guinea. We welcome this timely decision, which places the issue of piracy in the Gulf of Guinea in the context of the logical extension of last week's debate from a perspective that should lead to a concerted, comprehensive approach to this threat to peace and security in this part of the African continent.

While there may not seem to be any links between the subject of the two debates, last Tuesday's debate showed that transnational crime and piracy — the latter being one manifestation of the former — is largely fuelled by the illicit circulation of weapons and narcotics, large-scale armed banditry and illegal immigration.

The report of the Secretary-General (see S/2012/45) on the assessment mission, whose relevance I commend, highlights the main characteristics of maritime piracy in the Gulf of Guinea. It also helps us to better grapple with this problem as part of a dynamic approach involving the other security challenges largely besetting African countries, in particular those of the Gulf of Guinea. The report specifically points to the threats to the vital interests of our countries and to our responses to those security challenges.

The State of security in the Gulf of Guinea presents various challenges to peace and stability in the region. Threats stemming from uncontrolled industrial-scale overfishing, the insecurity provoked by pirates and that surrounding maritime navigation, and insecurity across borders all entail loss of human life, the taking of hostages, armed robbery, the destruction of economic infrastructure, diverting oil shipments, disturbances to maritime trade and even environmental hazards at oil installations. While their consequences are quite clear, they do not provide a full picture of the effects of such criminal actions, especially on community policies and on neighbouring countries lacking a coastline.

A reading of the assessment mission's report leaves one with the impression that there is a need for and effective functional synergy between the Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS) aimed at combating maritime piracy in the Gulf of Guinea. The Gulf of Guinea Commission should act as the link between the two organizations. In that regard, we welcome the meeting held in Abuja, as well as the one scheduled to take place next March. I would like to limit my statement to ECCAS member States of the Gulf of Guinea and share with the Council their response in meeting the host of challenges, which could in the future give rise to broader efforts to the entire area of the Gulf of Guinea.

In 2009, ECCAS member States adopted a maritime security plan (SECMAR) to secure their vital interests at sea, to be implemented by the Regional Centre for Maritime Security in Central Africa (CRESMAC), which is based in the coastal city of Pointe-Noire in the Congo. CRESMAC, which will serve as the future nerve centre for the Central African strategy to fight maritime piracy, has the main mission of ensuring ECCAS member States' control over the

maritime space. The implementation of SECMAR and CRESMAC's future operationalization reflect the undeniable leadership of our States in undertaking concerted, collective action this scourge.

It has been determined that an exceptional financial contribution of approximately $1.4 million is needed to launch CRESMAC and begin work in the three zones identified by the strategy. An ECCAS good-offices mission has been established to secure those funds. However, effectively operationalizing the Centre is still a challenge owing to the difficulties associated with its financing and functioning. In the meantime, the Multinational Coordination Centre of Douala has been called upon to fill the gaps as much as possible.

With the initial $600,000 in financing provided by the Congolese Government, construction is now under way to build CRESMAC's facilities on land that has been provided free of charge. The Republic of the Congo's individual involvement also extends to partial financing of equipment for the centre.

By 1963, when maritime piracy was not as widespread as it is today, Congolese law already qualified piracy as a crime under our merchant marine code. Congo's commitment to combat this scourge and all its ramifications has therefore been ongoing, both at the national and at the regional and international levels.

I would like to take this opportunity to reiterate my Government's gratitude to the different bilateral and multilateral partners in support of our countries' individual and collective efforts to combat the scourge of maritime piracy. I call on them to continue their commitment in this undertaking, specifically by supporting ECCAS member States in their desire to effectively and immediately launch the activities of CRESMAC, which is a key link in the cooperation chain set up to fight maritime piracy in the Gulf of Guinea.

Congo's support for the initiative to organize a summit on piracy in the Gulf of Guinea, with the goal of putting in place a collective, comprehensive strategy to eradicate this scourge, reflects the legitimate and pressing aspirations for peace, security and stability for our peoples and States, without which our peoples could never work towards true and lasting development.

The President (*spoke in French*): I now give the floor to the representative of Nigeria.

Mrs. Ogwu (Nigeria): My first words must be to thank you immensely, Mr. President, for convening this timely debate on piracy in the Gulf of Guinea. Coming on the heels of the inaugural debate (see S/PV.6633) convened by Nigeria in October 2011, I believe that the holding of this meeting underscores both the enormity and intensity of the threat. It also reinforces the message that international attention must stay focused on this growing menace. I would like to thank the Under-Secretary-General Lynn Pascoe for his succinct briefing, as well as Mr. Abdel Fatau Musah and Ambassador Florentina Adenike Ukonga, for their insightful remarks.

The incidence of piracy in the Gulf of Guinea has witnessed an alarming surge. Although underreported, it has become increasingly violent. Attacks, which were once almost exclusively confined to the coast, now range beyond the Gulf of Guinea. The Nigerian Maritime Security Task Force documented a total of 293 incidents of pirate attacks and robberies at sea between 2003 and 2008 — on fishing vessels alone.

The cost of piracy to local economies is staggering. For a region undergoing a post-conflict transition, the annual loss of $2 billion to the region's economy, from offshore oil, fishing and shipping, is too high a price to pay. Future investments in the West African oil industry face a clear and present danger. Indeed, the profitability of any new oil exploration taking place off the coast of Cameroon, Equatorial Guinea and the Niger Delta is threatened. In broader terms, the shipping industry has been rendered vulnerable.

Let there be no doubt regarding the substantial political will at the subregional and regional levels in confronting this growing threat. The countries in the region are responding to the challenge by strengthening existing national initiatives. In recent times, mindful of the importance of joint efforts, they have created partnerships towards fostering an optimal regional approach to maritime security.

The Republic of Benin and Nigeria commenced a six-month pilot joint patrol programme along the coast of Benin on 28 September 2011. The programme, which is being conducted under Nigeria's tactical command and Benin's operational command, derives 95 per cent of its logistical support from Nigeria,

including the deployment of two helicopters, two maritime vessels and two interceptor boats. That collaboration has recorded some measure of success, and includes scope for broader participation. We believe that such a cooperative arrangement will benefit enormously from enhanced surveillance systems, patrol boats, maintenance capabilities, funding, joint coordination centres and information-sharing, within a legal framework that takes into account maritime domain awareness.

It is against that backdrop that we warmly welcome the Secretary-General's assessment mission to West Africa. The mission's report (see S/2012/45) calls for actions that build on resolution 2018 (2011), adopted in October 2011, as well as the Council's statement to the press of 30 August (see SC/10372). The findings and recommendations of the mission will form the bedrock for the development of a holistic approach in tackling this threat. They provide the impetus for concerted, bold and swift action, not only by countries of the region, but also by international partners.

Nigeria supports the draft resolution submitted by Togo. The next necessary steps to confront piracy in the Gulf of Guinea must involve the countries of the region working more concertedly. It must also involve greater collaboration between the Economic Community of West African States, the Economic Community of Central African States and the Gulf of Guinea Commission, with the support of both the United Nations Office for West Africa and the United National Regional Office for Central Africa.

Indeed, a comprehensive regional approach is now imperative. That is why we are committed to the convening of a regional summit to address the issue in a comprehensive manner, and we are glad to note that the initiative has received wide support. We are confident that the summit will explore fresh ideas and provide new directions that will engender further action by the Council.

The President (*spoke in French*): There are no further speakers inscribed on my list. Before adjourning the meeting, I would like thank everyone for their active participation. I express those sentiments of gratitude on behalf of the President of Togo. Peace and security are the sine qua non conditions for the development of our respective countries.

The Security Council has thus concluded the current stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.

United Nations S/PV.6724

Security Council

Sixty-seventh year

Provisional

6724th meeting

Tuesday, 28 February 2012, 10 a.m.

New York

President:	Mr. Menan	(Togo)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Kumar
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Zhukov
	South Africa	Mr. Laher
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

Security Council mission

Briefing by Security Council mission to Haiti (13 to 16 February 2012)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-24308 (E)

Please recycle

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council mission

Briefing by Security Council mission to Haiti (13 to 16 February 2012)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Haiti to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I would like to welcome the return of the members of the Council and the Secretariat who took part in the Security Council mission to Haiti. At this meeting, the Council will hear a briefing by Her Excellency Ms. Susan Rice, Head of the Security Council mission to Haiti and Permanent Representative of the United States.

I now give the floor to Ms. Rice, who led the Security Council mission to Haiti.

Ms. Rice (United States of America): Let me begin this report on the Security Council's trip to Haiti by thanking Mr. Mariano Fernandez Amunategui, Special Representative of the Secretary-General for Haiti, the team of the United Nations Stabilization Mission in Haiti (MINUSTAH) and the Government of Haiti for welcoming us and for facilitating our visit.

The trip — the Security Council's first to the country in three years — was undertaken to examine the security situation, to review post-quake reconstruction efforts and to assess the consolidation of democracy. We saw first hand Haiti's important progress since the tragic earthquake of January 2010. We also saw a disturbing level of political infighting in a country that can ill afford it. Throughout our trip, we reiterated the international community's solidarity with Haitians as they tackle those challenges.

In Port-au-Prince, we heard President Martelly and then Prime Minister Conille outline their respective visions, including for promoting development by attracting foreign investment and creating jobs. We gained some insights into the Government's ideas for rebuilding Haiti's devastated infrastructure and for strengthening its health care. Our interlocutors underscored that development efforts are a critical part of ensuring Haiti's long-term stability.

President Martelly told us that he wanted to create a second security force with responsibilities that could include border security, environmental protection and disaster response. Council members questioned that course of action and emphasized instead the importance of completing the reform and strengthening of the Haitian National Police (HNP) so that it can assume full responsibility for the country's security.

Members of the Senate and the Chamber of Deputies shared with us very frank, and sometimes critical, views on the slow progress of international support, alleged sexual abuse by MINUSTAH personnel, cholera and what the legislative saw as the failings of Haiti's executive branch.

On the first full day, MINUSTAH officials briefed us on the plans under way to reduce the Mission's military component, in accordance with resolution 2012 (2011), and to put greater responsibility on United Nations Police and their Haitian counterparts. Later, we travelled to Miragoâne, from which MINUSTAH had already withdrawn its military forces. There, we saw a demonstration of how a MINUSTAH police unit from Bangladesh was supporting the Haitian National Police in crowd control and other security operations.

From Miragoâne, the Council travelled to Léogâne — the epicentre of the 2010 earthquake. We met the leaders of a Korean company of MINUSTAH engineers, whose work included rebuilding roads and other infrastructure necessary to MINUSTAH's operations and the installation of solar-powered lights in a nearby displaced persons camp to help increase security. We also visited the site of a non-governmental organization-led project that was constructing houses for people who had lost theirs in the earthquake. The MINUSTAH engineers were working there to strengthen the local capacity by training Haitians in construction and basic engineering.

We met representatives of the Haitian private sector and civil society, as well as members of the diplomatic corps, at a reception at the end of our first full day. We heard a range of views regarding the challenges that face Haiti and the role of the international community in supporting the country.

On our second full day, the Council travelled to Cap-Haïtien in the north to examine how rule of law institutions function at the local level. We visited a typical severely overcrowded prison and a judicial tribunal plainly unable to cope with the demands that it faces. Those visits were stark reminders of the enormous challenges in strengthening the judicial system in Haiti.

We toured Caracol, also in the north, where Haitians and international partners are starting to construct the first major industrial development since the earthquake — the Caracol Industrial Park. The project is set to open later this year and Sae-A Trading Company, a leading Korean garment manufacturer, has already committed to investing in an operation there. Once fully operational, the Park could create up to 60,000 new jobs when it is completed.

On returning to Port-au-Prince, we visited the Delmas 33 police station, where we saw how the simple act of co-locating United Nations and Haitian police can enable mentoring, training and the transfer of key skills.

We began our final day with a visit to the Haitian National Police Academy in Port-au-Prince, where we were briefed on efforts to increase the number of HNP personnel, to bring more women into the force, to investigate officers accused of corruption or human rights violations, and to build skills for combating drug trafficking and sexual and gender-based violence. In the Carradeux internally displaced persons camp, Council members visited tent homes and witnessed the difficult conditions that face Haitians still living in camps, that is, nearly half a million people. United Nations Police and camp leaders briefed us on efforts to protect women and other vulnerable groups from sexual and other violence.

We also visited one of only two cholera treatment centres in the capital, where Haitians and international partners are working to slow the spread of the disease and to treat those stricken by it. Over lunch, we met with members of women's organizations, religious groups and non-governmental organizations and youth and other civil society leaders. They shared with us the deep desire of Haitians to see their country stand on its own and rely less on international support.

Many Haitians shared with us serious concerns about the bitter disputes that divide Haiti's political leaders, both within and between the executive and legislative branches of the Government. Ordinary Haitians told us that they want their elected leaders to put aside winner-take-all politics and to work together in a spirit of compromise to solve the nation's problems. Moving forward with elections for local officials and one third of the Senate is a critical part of that process.

The Council saw that Haiti's enormous challenges require the coordinated efforts of all stakeholders, most important, the Haitian Government and civil society, but also the civilian and military elements of MINUSTAH, other parts of the United Nations system, donor Governments and local and international NGOs. Such efforts are critical to realizing the Government's goals of attracting investment and creating jobs. The trip gave us the opportunity to see the dedicated work that the men and women of MINUSTAH perform under very difficult conditions.

Many Haitians acknowledged that MINUSTAH plays a necessary role in maintaining security and stability. However, they also shared a desire to see the Mission eventually leave, with strengthened Haitian institutions taking on its responsibilities. The cholera epidemic and allegations of sexual exploitation and abuse by some Mission personnel have badly eroded support for MINUSTAH and undermined its work. We are deeply troubled by these allegations, and expect the United Nations to redouble its efforts to prevent any further incidents of this kind and to ensure that those responsible are held accountable.

Haitians and the United Nations Mission have endured much together and accomplished much in the two years since the earthquake. With continued dedication and hard work, they can yet build a better future for Haiti.

The President (*spoke in French*): I thank Ms. Rice for her briefing.

On behalf of the Council, I should like to express appreciation to all of the members of the Security Council and the Secretariat who participated in the mission for the manner in which they discharged their important responsibilities on behalf of the Council.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 a.m.

United Nations S/PV.6725

Security Council

Sixty-seventh year

Provisional

6725th meeting

Tuesday, 28 February 2012, 10.25 a.m.

New York

President:	Mr. Menan	(Togo)
Members:	Azerbaijan	Mr. Mehdiyev
	China	Mr. Wang Min
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Loulichki
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice

Agenda

The situation in the Middle East, including the Palestinian question

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-24356 (E)

Please recycle

The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

The President (*spoke in French*): In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Lynn Pascoe, Under-Secretary-General for Political Affairs, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Mr. Pascoe.

Mr. Pascoe: Let me start today with the rapidly deteriorating situation in Syria. The Syrian Government has manifestly failed to carry out its responsibility to protect its people. On the contrary, it has subjected residents in several cities to indiscriminate bombardment by tank and rocket fire, killing its own people in ways reminiscent of the Hama massacre perpetrated by the Syrian Government in 1982. Unfortunately, the international community has also failed in its duty to stop the carnage. Actions and inaction to date have seemed to encourage the regime in its belief that it has impunity to carry on the wanton destruction of its own civilians.

The disproportionate use of force and military aggression against the civilian population by the authorities has driven the largely peaceful opposition forces to resort to armed resistance, although to date the opposition's firepower appears to be minimal as compared to the heavy weapons being used by the Syrian army. Extremists have also used the situation to carry out terrorist activities, in particular in Damascus and Aleppo. While we cannot give exact casualty figures, there are credible reports that the death toll now often exceeds 100 civilians per day, including many women and children. The total number of people killed so far is certainly well more than 7,500.

The displacement of civilians within and outside Syria has continued. Approximately 25,000 refugees are now registered with the Office of the United Nations High Commissioner for Refugees in neighbouring countries. Between 100,000 and 200,000 people are internally displaced. The humanitarian consequences of the violence have become severe. In towns affected by sustained fighting, such as Homs, Hama and Dar'a, water and electricity have been cut off. Access to medical care and basic food and fuel are critically needed.

On 26 February, Government security forces launched a merciless bombardment of residential areas in Homs. We are now into the fourth week of the terrible attacks on major neighbourhoods in that city. The situation for the people trapped inside those neighbourhoods is increasingly dire. According to human rights organizations, more than 5,000 civilians have been prevented from fleeing by Government forces. On 21 February, American reporter Marie Colvin and French photographer Remi Ochlik were among the victims in Homs. As the Secretary-General has said, their deaths further shed light on the horrors being inflicted on the Syrian people each day.

On 12 February, the International Committee of the Red Cross (ICRC) and the Syrian Arab Red Crescent were able to make a delivery of some basic humanitarian assistance to Homs. On 24 February, some injured women and children were evacuated by the ICRC from the Bab Amr neighbourhood. The ICRC and Syrian Arab Red Crescent also successfully completed a delivery of food and other assistance for 12,000 people in the city of Hama yesterday.

Unfortunately, the ICRC's repeated calls for a daily humanitarian pause to allow for the delivery of emergency aid have not yet been implemented. The United Nations fully supports the ICRC effort, which would allow the injured to leave and seek medical attention and for urgent supplies to be distributed. The Secretary-General has asked Emergency Relief Coordinator Valerie Amos to travel to Syria to negotiate humanitarian access and assess humanitarian needs. She is in the region and stands ready to go to Damascus as soon as she is allowed entry into the country.

The international commission of inquiry for Syria, in a report (A/HRC/19/69) issued on 22 February, concluded that the Syrian Government forces have committed widespread, systematic and gross human rights violations amounting to crimes against humanity, with the apparent knowledge and consent of the highest levels of the State. I commend the report to each of the members of the Council. It does not make for easy reading, but its implications for

our responsibilities is clear. The Human Rights Council held a debate on this issue today in Geneva.

The League of Arab States has adopted a series of important decisions calling on the Syrian authorities to end the killing. On 31 January, the Secretary-General of the League of Arab States and the President of the League's ministerial committee sought the Security Council's support for their efforts to end the violence and seek a political solution. On 16 February, the General Assembly adopted a ground-breaking resolution (resolution 66/253) in support of the Arab League's efforts. As members of the Council well know, the resolution includes a request for the Secretary-General and all relevant United Nations bodies to provide good offices, including through the appointment of a special envoy, in support of the Arab League's efforts.

Following intensive consultations, the Secretary-General and the Arab League Secretary-General announced on 23 February the appointment of former Secretary-General Kofi Annan as their Joint Special Envoy for Syria. He will work to end the violence and human rights violations and promote a peaceful solution to the Syrian crisis. Mr. Annan will arrive in New York tomorrow to begin talks with the Secretary-General. I hope he will have the opportunity to meet with members of the Council to hear their suggestions on how to bring this terrible situation to an end.

On 24 February, the Tunisian Government hosted a meeting of the friends of the Syrian people. The conference brought together representatives of more than 65 nations and organizations. It demonstrated wide international support for the Syrian people and called on the Syrian Government to halt attacks on civilians and allow immediate access for vital relief goods and services. The message to the Syrian authorities should be clear — the bleeding of Syria must cease. The conference condemned the Syrian Government's excessive use of force and demanded the withdrawal of heavy military equipment from urban areas to allow a peaceful transition of power.

In his message to the conference, the Secretary-General stressed the need for a political solution and highlighted the responsibility of each member of the international community to help stop the violence. The Secretary-General again calls on the Government of Syria to stop the wanton killing of its own people. It must fulfil its duty to protect them instead. Its failure to do so leaves the international community no option but to act.

I would like to turn briefly now to the peaceful transfer of power in Yemen. Special Adviser Jamal Benomar will brief the Council in detail after he returns, but I do want to note that the agreement signed in Riyadh on 23 November 2011 provided for a detailed road map for a political transition based on a power-sharing arrangement between the then ruling party and a coalition of opposition parties. This could not have been achieved without the members of the Security Council speaking with one voice and Mr. Benomar's close cooperation on the ground with the Gulf Cooperation Council and other actors.

The implementation of this agreement is on track. Presidential elections with a consensus candidate were held on 21 February. On 25 February, former Vice-President Abd Rabbo Mansour Hadi was sworn in as the new President of Yemen. The Secretary-General called the new President to congratulate him. The next step is the holding of the national dialogue conference, followed by a constitution-making process. This will lead to general elections in two years. Yemen's transition remains delicate and will require ongoing facilitation. Special Adviser Benomar will remain closely engaged with all sides.

Please allow me now to turn to the Middle East peace process. On 8 February, the Secretary-General briefed the Council on his trip to Israel and the occupied Palestinian territory and his efforts to encourage the parties to sustain the talks that started on 3 January in Amman. Unfortunately, these talks have stalled. Since the last meeting of the negotiators on 25 January, President Abbas has been consulting internally and with the Arab League. So far, prospects for the resumption of direct bilateral negotiations remain dim.

During the Arab Peace Initiative Follow-Up Committee meeting on 12 February and the meeting of the Palestine Liberation Organization (PLO) Central Committee on 20 February, the Palestinians reiterated their position that direct talks should not resume unless all settlement activity was halted. Israel committed to a two-State solution based on the 1967 lines and the release of Palestinian prisoners in Israeli jails. Meanwhile, Prime Minister Netanyahu continues to insist that Israel wants to continue the talks, but without preconditions.

We believe that the framework set by the Quartet in its statement of 23 September 2011, with the aim of reaching an agreement before the end of the year, remains relevant. Quartet envoys regularly assess developments and remain engaged with the parties. I hope that the parties will use the coming period to refocus on the need to exchange proposals on territory and security. In this regard, the Secretary-General fully supports the efforts initiated by King Abdullah II Bin Al Hussein of Jordan. There must be improvements on the ground to complement these efforts.

In another notable development, President Mahmoud Abbas and Hamas leader Mashal agreed on 5 February to form a transitional Government of technocrats with Abbas as Prime Minister. President Abbas has emphasized that this Government would adhere to his political programme and to all previous PLO commitments. However, opposition to the agreement within Hamas in Gaza has so far prevented concrete results. A date for elections has not been set, and voter registration in Gaza has yet to be allowed by the de facto authorities.

As the Secretary-General has repeatedly affirmed, the United Nations supports Palestinian unity within the framework of the PLO commitments, the Quartet principles, and the Arab Peace Initiative. Reconciliation on this basis and Israeli-Palestinian peace talks need not be mutually exclusive in any way.

The situation on the ground in both Gaza and the West Bank remains dangerous and ultimately unsustainable. Further settlement expansion was authorized in several locations in the West Bank, including in two outposts and in the settlement of Shiloh deep inside the occupied Palestinian territory. Such steps move us further away from the goal of a two-State solution and are in violation of Israel's Road Map obligations. In addition, on 13 February, the Jerusalem municipality granted permission for a new archeological visitors' centre in the Silwan neighbourhood of East Jerusalem and Israeli police demolished a structure that had served as a Palestinian community centre.

Incidents of settler violence against Palestinians and their property, as well as violence by Palestinians against settlers, continued in the West Bank. Demolitions of Palestinian property resulted in 138 people, more than half of them children, being left homeless in East Jerusalem and Area C. We called for a halt in those demolitions and for a fair planning and zoning system to meet Palestinian needs for growth.

On 10 February, Palestinian security forces, for the first time in 15 years, enforced law and order in the H2 area of Hebron, which is under full Israeli control. At the same time, the Israel Defense Forces (IDF) conducted 463 operations in the West Bank. Overall, 251 Palestinians, including 11 children, were injured in the West Bank by the IDF, and 358 were arrested. Twelve IDF soldiers were injured by Palestinians.

The reporting period also witnessed increased tensions and violence between Palestinians and Israeli security forces around holy sites. Clashes erupted in the compound of the Temple Mount/Haram al-Sharif between Israeli police and Palestinians on 19 and 24 February. Renewed clashes erupted on 25 February as thousands of Palestinians participated in the funeral in Al-Ram of a Palestinian resident who had died the previous day after being shot by an IDF soldier. That series of violent incidents resulted in a number of Palestinians, as well as one Israeli police officer, being injured.

On 24 February, Palestinians also threw stones towards Rachel's Tomb, a site of Jewish worship in the West Bank. On 20 February, for the third time this month graffiti was sprayed on a church in Jerusalem, including a reference to settler involvement. I call on all parties to safeguard the peace and sanctity of religious sites. We also remind both parties that hate speech from anyone is unacceptable.

On 21 February, following an arrangement with the Israeli authorities for his release, Palestinian administrative detainee and Islamic Jihad affiliate Khader Adnan ended his hunger strike of 66 days. The holding of another 300 Palestinians under administrative detention remains a matter of concern. We believe that the use of administrative detentions must be exceptional. Those detained must be charged and face trial with judicial guarantees or released without delay.

Sixty-one rockets and one mortar shell that were fired this month from Gaza landed in Israel without resulting in injuries or damage. This is significantly more than what we reported last month, underscoring the continued risk of escalation. The IDF conducted one incursion and 28 airstrikes into Gaza, resulting in one Palestinian civilian being killed and 20 injured. We reiterate our condemnation of indiscriminate rocket

attacks out of Gaza against Israel. We also urge Israel to show maximum restraint. All should fully observe their obligations regarding the protection of civilians.

On 11 February, Egyptian security forces operating in the Sinai peninsula announced the seizure of a number of anti-aircraft missiles, as well as explosives, which were being readied for transfer to the Gaza Strip. We welcome those steps and call on others to intensive their efforts to prevent the illicit trafficking of arms into Gaza, in line with resolution 1860 (2009).

On 21 and 23 February, IDF soldiers identified and removed explosive devices on the Israeli-Egyptian border. On 28 February, the IDF returned fire from suspected smugglers attempting to infiltrate Israel from Egypt, killing one of them. We have repeatedly said that the weapons transfers into Gaza must stop.

Gaza witnessed a severe shortage of electrical power around 14 February, which had serious consequences for health, education, water and sanitation facilities, highlighting that current socio-economic arrangements in the Gaza Strip are not sustainable.

The closure regime must be lifted within the framework of resolution 1860 (2009). In that context, discussions continue with Israel towards the liberalization of the entry of construction materials and the facilitation of exports. Following the Secretary-General's visit, we are awaiting approvals for urgent United Nations projects, including three key housing projects of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

In another development, on 13 February an Israeli diplomatic vehicle was attacked in India, injuring one person, while a similar attack was foiled in Georgia and another attempt was discovered in Thailand. The Secretary-General has condemned such attacks.

As the Secretary-General has noted, what is important now is for the parties to engage seriously on substance. We are concerned that the talks are stalled. We still hope that both leaders will realize that they must overcome the political impasse and rebuild confidence and momentum, using the framework suggested by the Quartet aiming for a negotiated solution by the end of the year. Time is not on the side of either party.

Finally, I would like to turn to Lebanon. On 23 February, the Secretary-General renewed the mandate of the Special Tribunal for Lebanon for three years from 1 March. Earlier this month, the Trial Chamber of the Special Tribunal ruled that the four people accused in the assassination of former Prime Minister Rafiq Hariri would be tried in absentia.

The Syrian crisis remains a cause of tension in Lebanon. On 10 February, fighting broke out between Alawite and Sunni communities in the northern town of Tripoli, against the backdrop of demonstrations related to the situation in Syria, resulting in three people being killed and more than 20 injured, including members of the Lebanese Armed Forces. Order was restored the following day after the intervention of the army and local parliamentarians.

The situation along Lebanon's borders with Syria also remains of concern. The United Nations continues to monitor the influx of Syrian refugees into northern Lebanon. We continue to coordinate closely with the Government on the provision of assistance to the 6,900 refugees registered so far, as well as on matters of protection and the determination of their status.

The overall situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) has remained generally calm. UNIFIL observed continuing air violations by the Israel Defense Forces, albeit at somewhat reduced levels.

The President (*spoke in French*): I thank Mr. Pascoe for his briefing.

I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.45 a.m.

United Nations S/PV.6726

Security Council

Sixty-seventh year

Provisional

6726th meeting

Wednesday, 29 February 2012, 10 a.m.

New York

President:	Mr. Menan	(Togo)
Members:	Azerbaijan	Mr. Musayev
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Vaz Patto
	Russian Federation	Mr. Pankin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mr. DeLaurentis

Agenda

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

Letter dated 23 February 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/112)

Letter dated 27 February 2012 from the President of the Security Council addressed to the Secretary-General (S/2012/113)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-24626 (E)

Please recycle

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

Letter dated 23 February 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/112)

Letter dated 27 February 2012 from the President of the Security Council addressed to the Secretary-General (S/2012/113)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/115, which contains the text of a draft resolution submitted by Guatemala.

I wish to draw the attention of Council members to documents S/2012/112 and S/2012/113, which contain, respectively, a letter dated 23 February 2012 from the Secretary-General addressed to the President of the Security Council and a letter dated 27 February 2012 from the President of the Security Council addressed to the Secretary-General.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2038 (2012).

The Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.20 a.m.

United Nations S/PV.6727

Security Council

Sixty-seventh year

Provisional

6727th meeting

Wednesday, 29 February 2012, 10.20 a.m.

New York

President:	Mr. Menan	(Togo)
Members:	Azerbaijan	Mr. Musayev
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

Peace consolidation in West Africa

Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/45)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-24692 (E)

Please recycle

The meeting was called to order at 10.20 a.m.

Adoption of the agenda

The agenda was adopted.

Peace consolidation in West Africa

Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council (S/2012/45)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Benin to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2012/122, which contains the text of a draft resolution submitted by Benin, Colombia, France, Germany, Guatemala, India, Morocco, South Africa, Togo and the United States of America.

I also wish to draw the attention of Council members to document S/2012/45, which contains a letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council, transmitting the report of the United Nations assessment mission on piracy in the Gulf of Guinea.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

In favour:

Azerbaijan, China, Colombia, France, Germany, Guatemala, India, Morocco, Pakistan, Portugal, Russian Federation, South Africa, Togo, United Kingdom of Great Britain and Northern Ireland and United States of America.

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2039 (2012).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.25 a.m.

United Nations S/PV.6728

Security Council

Sixty-seventh year

Provisional

6728th meeting

Wednesday, 29 February 2012, 10.25 a.m.

New York

President:	Mr. Menan	(Togo)
Members:	Azerbaijan	Mr. Musayev
	China	Mr. Yang Tao
	Colombia	Mr. Osorio
	France	Mr. Araud
	Germany	Mr. Wittig
	Guatemala	Mr. Rosenthal
	India	Mr. Hardeep Singh Puri
	Morocco	Mr. Bouchaara
	Pakistan	Mr. Tarar
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Churkin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation is Libya

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

12-24698 (E)

Please recycle

The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Ian Martin, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, to participate in this meeting.

On behalf of the Council, I welcome Mr. Ian Martin, who is joining today's meeting via video teleconference from Tripoli.

The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Council will hear briefings by Mr. Ian Martin and Ambassador José Filipe Moraes Cabral, Permanent Representative of Portugal, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011).

I now give the floor to Mr. Martin.

Mr. Martin: On 17 February the people of Libya marked the first anniversary of the beginning of their revolution. People took to the streets of Tripoli, Benghazi and other cities and towns in celebration. Many of the celebrations were spontaneously organized in neighbourhoods. Libyans remarked on the contrast with the State-organized demonstrations that characterized the previous regime. While remembering those who died in the struggle for freedom, they signalled hope and determination for the future. Despite concerns that there might be attempted attacks or disruptions by elements of the former regime, the anniversary passed peacefully, with effective security operations coordinated among State security forces, local civilian authorities and brigades of former revolutionary fighters.

While it is one year since the uprising began, the new Libya has still only had a Government for three months. Next week the Council will hear from Prime Minister Abdurrahim El-Keib his account of its challenges and its efforts, and what it is planning to accomplish in the short period before elections to a national congress provide the basis for a new Government and the drafting of the constitution.

It is clear that the Libyan people are eager to move forward with the transition to democracy. Their most central expectation of the United Nations is that we will support them in doing so. When I last briefed the Council, on 25 January (see S/PV.6706), the National Transitional Council (NTC) had adopted the electoral administration law and appointed the High National Electoral Commission, and was continuing consultations on the main electoral law. That law was adopted on 28 January, with the final amendments approved on 7 February.

The law provides for a mixed parallel electoral system, with 120 seats to be elected by majoritarian races reserved for individual candidates, and 80 seats to be elected by proportional races reserved for lists to be submitted by political or other groups. Like all electoral frameworks, this parallel system is a compromise among competing views and interests, but our judgment is that the law provides a reasonable foundation for the election of the national congress, although some gaps and shortcomings remain. While the United Nations Support Mission in Libya (UNSMIL) had encouraged the NTC electoral committee to ensure that the right to vote should be as inclusive as possible, the law excludes members of the armed forces from voting. There is also a need for measures to ensure the participation of internally displaced people in the electoral process.

It is particularly welcome that the law includes a formula, albeit a modest one, to ensure the participation of women in the national congress, as UNSMIL had urged. The special measure requires that the candidates on the lists for proportional races be listed alternately by gender; thus for multi-seat constituencies where there will be party lists, every other candidate on the lists must be a woman.

The proposed division of the country into constituencies and the allocation of seats is being finalized and has not yet been published. The distribution among the regions, cities and towns may well be controversial, but it is important that this issue be resolved without further delay to allow election preparations to proceed.

It is understandable that the process for developing an electoral law took longer than envisaged, in view of the political complexities involved in deciding the basic electoral foundation for any country and the fact that this will be the first election in Libya in more than 40 years. Despite the delays, the NTC has publicly confirmed its intention to hold the elections according to the timeline envisaged in the constitutional declaration, although the official call for the elections has yet to be made.

To achieve that timetable, activities to implement the legal framework must begin immediately and progress swiftly. I commend the 15 Commissioners of the High National Electoral Commission, who were sworn in on 12 February, for immediately commencing work on establishing subcommittees to address the core issues as well as a functional administration. I met with them myself this morning, and confirmed that they have high expectations that UNSMIL's assistance, which has been well appreciated by the electoral authorities during the legislative period, will now be carried forward in the operational phase. In response, the United Nations is expanding its support to the Electoral Commission by strengthening its advisory role within the Commission, launching support of voter education and coordinating the assistance of other international actors.

Meanwhile, the determination of communities to establish the legitimacy of local representation has been displayed in the election of a new local council in Misrata on 20 February. An eight-member local elections committee, appointed by the local council in early January, organized the election, including the administrative division of the city, the allocation of seats and the registration of voters. Approximately 65 per cent of the eligible population registered and 57 per cent of registered voters cast their votes for 28 seats. The candidates elected were announced following a two-day counting period in a peaceful and amicable environment. The police and brigades provided comprehensive security within the city and outside of the 78 polling stations.

In other cities I visited during the reporting period, local councils viewed the Misrata elections positively and expressed their desire to hold their own elections. Of particular significance, given recent controversy there, is the appointment by the Benghazi local council of a well-respected judge to oversee the formation of a committee charged with preparing for local elections in Libya's second-largest city, where the uprising for democratic transformation began.

Of the utmost importance to the successful conduct of elections nationwide is, of course, a positive evolution of the security situation. The Libyan authorities well recognize that their foremost challenge is to address the future of the revolutionary fighters and the wide circulation of weapons and to develop professional State security institutions under civilian control. However, while the diverse armed brigades continue to lack clear lines of command and coordination, there is some appreciable progress in the development of State authority over brigades in the provision of security, including through the establishment of local security committees under the direction of the Ministry of the Interior to coordinate security operations among participating brigades. The coordinated deployments during the 17 February anniversary celebrations were a significant illustration of that progress. The brigades continue to perform important security functions, as they have for long periods, often without payment.

Contrary to the impression given by some media reports, although they seek guarantees that the transformation for which they have fought is securely on track, there is little indication that they wish to perpetuate an existence outside State authority. The Government issued a decision last week regarding the transfer of control of land, air and sea port infrastructure from the brigades to the Ministry of Interior, which when implemented will be a significant step forward in exerting State control.

At the same time, Government plans for the registration and integration or demobilization of former fighters are proceeding. The registration process for ex-combatants that started in January is nearing completion. The Warriors Affairs Commission for Rehabilitation and Development reports that approximately 148,000 have registered to date, and will be referring those preferring to join the police to the Ministry of the Interior and those who choose the army to the Ministry of Defence.

Approximately 15 per cent appear to be opting for each of those entities, so the majority of ex-combatants are seeking, and must be afforded, educational or vocational training and employment or self-employment opportunities. The Ministries of the Interior, Defence and Labour are developing their plans

for integration and reintegration, including an initial recruitment of 10,000 former fighters under the Ministry of Interior and 5,000 under the Ministry of Defence.

On 20 and 21 February, UNSMIL, upon the request of the Prime Minister, facilitated an inter-ministerial retreat to review the most critical security challenges confronting Libya and to decide upon immediate steps to address them in a coordinated manner. In opening the retreat, the Prime Minister highlighted border security, security in Libyan cities, weapons proliferation and human rights violations as the major security preoccupations. He also emphasized the need to strengthen Libya's security and defence forces swiftly within the remaining four months of his Government's tenure, urging the relevant Ministries to pool their efforts and coordinate closely.

The retreat developed a priority action plan, with key recommendations that include strengthening police deployment and security coordination among all relevant actors in the lead-up to elections and securing the southern border in an integrated action plan against human trafficking, arms smuggling and other illegal activities. All participants welcomed the commitment to strengthened inter-ministerial coordination and cooperation, a marked difference from the practice of the previous regime. They recognized the need for an overarching national security framework and strategy, including a national security coordinating committee under the Prime Minister. The Deputy Prime Minister briefed international partners on the outcomes of the workshop in order to further enhance coordinated assistance in those areas.

In addition to the support to inter-ministerial coordination and communications, UNSMIL continued to support the efforts of the Government in coordinating with bilateral and multilateral partners in the areas of arms proliferation, border security and the rehabilitation of the police. There are now three UNSMIL advisers embedded in the Ministry of the Interior, supporting the Ministry in the areas of police training, logistics and communication and media relations. UNSMIL is also assisting the Government in preparations for the high-level regional conference on border security that Prime Minister El-Keib announced Libya's intention to convene when he addressed the African Union Summit in Addis Ababa on 29 January.

The new Government faces tremendous challenges and a heavy legacy from the former regime as it tries to tackle illegal migration and smuggling, effective border control, the proliferation of weapons and the need to reverse policies of long-standing discrimination against minority communities and foster national reconciliation among tribes. The latter has been tragically highlighted in recent days by deadly clashes that erupted between the Tabou and the Zwaya tribal brigades in the southern city of Kufra over a two-week period, with approximately 100 reported to have died and many seriously injured. While those clashes appear to have been triggered by the initial killing of a Zwaya man and the subsequent death of a Tabou youth, it is the latest incident in a long history of conflict of simmering tribal tensions fuelled by policies of the former regime, including State-sponsored discrimination against the Tabou, and by local disputes over control over smuggling, including illegal migration.

Religious leaders and tribal chiefs, among others, negotiated a ceasefire to restore calm. The Government dispatched units of the national army to the area, although there were criticisms of too slow a response by the authorities. A joint mission of United Nations agencies and UNSMIL visited Kufra from 23 to 26 February to assess the most urgent priorities, including support to third-country nationals and vulnerable communities whose services were interrupted by the fighting. United Nations agencies have delivered humanitarian assistance through the Libyan Red Crescent and the Ministry of Health, but difficulties have yet to be overcome to ensure that the Tabou areas, isolated by the fighting, receive sufficient humanitarian support.

Since the High Commissioner for Human Rights and I briefed the Council on 25 January, further information regarding torture and ill-treatment of detainees, including deaths in custody, has come to light through non-governmental organizations and UNSMIL's own visits to places of detention. I and my colleagues have discussed immediate measures to prevent further incidents of torture and mistreatment in several meetings with the Prime Minister, the Minister of Justice and other ministers and senior officials. On 31 January, Deputy Prime Minister Mustafa Abu Shagur announced that the Government had issued a circular to clarify the rights of detainees, including a directive that torture and mistreatment of detainees was forbidden

and that allegations would be investigated. Addressing the Human Rights Council in Geneva yesterday, Prime Minister El-Keib reiterated the Government's human rights commitment and cooperation with the United Nations and others in that domain. Strong and urgent measures are essential to give effect to those intentions.

I have particularly stressed the need for a task force that brings together the Ministries of Justice, Defence and the Interior to regularly inspect facilities still under the control of various brigades, to identify all detention locations and to implement an overall strategy on conflict-related detentions. The Ministry of Justice has indicated that such inspections have commenced, and the Prime Minister has given assurances of the formation of a committee to investigate allegations of torture and stated yesterday that such investigations are now under way. UNSMIL has visited or revisited detention facilities in Misrata, Zawiya and Tripoli to identify those that should be scrutinized as priority and has made an initial submission to the Office of the Prime Minister and the Ministry of Justice. We will continue to work closely with the authorities and to encourage them to ensure that inspections of known facilities are undertaken, that secret locations are identified and brought under Government control, and that abuses are investigated.

UNSMIL has also strongly urged the investigation of the attack on 6 February on the Tawergha camp for internally displaced persons at the Janzur marine academy in Tripoli, when a brigade entered the camp in heavy force and attempted arrests. When camp detainees took to the streets to protest, they were also fired upon. The combined attacks resulted in the deaths of seven people, including three children and two women. The United Nations has pressed for better security not only at this camp, but also at locations of displaced Tawergha in other parts of the country. This latest incident underscores the urgent need for the responsibility for arrests and detention to be exercised by the Ministry of Justice alone. As a contribution towards reconciliation, Tawergha tribal leaders issued an apology on 23 February to all citizens of Misrata for the crimes committed by members of their community and called upon on all those who had committed such crimes to surrender themselves to the justice system. My Deputy continues to work with the Libyan authorities to address the short- and longer-term needs of the Tawergha community.

UNSMIL continues to urge the Ministry of Justice to accelerate the process of asserting control over the facilities currently run by the brigades, where we estimate that approximately 5,000 to 6,000 detainees remain. Since my last briefing, two additional detention centres have been placed under Government control, bringing the total to eight, with a total of 2,382 detainees. Progress continues to be complicated by insufficient numbers of judicial police. Several partners have expressed a willingness to assist in the training of judicial police, and the Ministry of Justice has also requested assistance in the training of prosecutors.

Libya's court system is slowly coming back into operation, with several courts in Tripoli and Benghazi resuming operations, despite some concerns about the security of judges and lawyers. On 5 February, the first criminal proceedings of more than 40 persons accused of having committed crimes in support of the Al-Qadhafi regime during the conflict opened before a military court in Benghazi. On 22 February, the military court ruled that the trial should move to a civilian court, which is to be welcomed. As further trials commence, it will be crucial that the accused be granted adequate legal representation, full due processes and assurances that any confessions that may have been taken under torture are not admitted into evidence.

The transitional justice law on the establishment of the foundation of national reconciliation and transitional justice was made public on 14 February. The law establishes a fact-finding and reconciliation commission mandated to investigate crimes and human rights violations committed since 1969. It will comprise 11 members to be appointed by the NTC. The law also establishes a victims' compensation fund, but does not prevent victims from seeking justice through the courts. While the law does not necessarily reflect best practices elsewhere, it provides an important opportunity to start a comprehensive truth-seeking process in Libya.

A vital part of the transitional justice process is the search for and identification of missing persons. The Ministry for Assistance to the Families of Martyrs and Missing Persons has already commenced the collection of DNA samples from families as well as

work on the exhumation of mass graves. UNSMIL is encouraging the Ministry to invite an international expert assessment that will help to define a clear strategy according to international standards, so that quick measures do not harm prospects for the future identification of remains. UNSMIL has also proposed the drafting of a new legal framework to better safeguard the rights of the families of the missing in Libya.

In all of my meetings, at both the national and local levels, officials have increasingly been highlighting their inability to cope with the increasing numbers of migrants and refugees, and are seeking sustained assistance to address those challenges humanely. In the absence of a clear legal or administrative framework on migration, irregular migrants and some potential asylum-seekers, including elderly persons, women and children, continue to be detained in facilities operated by different authorities or brigades, often in poor conditions with limited access to humanitarian assistance. Of the 18 Ministry of Interior migrant detention facilities in operation prior to the crisis, only two are under full Ministry control. The International Organization for Migration (IOM) continues to assist migrants in distress through the facilitation of citizenship verification, the issuance of travel documents and voluntary repatriation operations; however, access to migrants and the absence of secure transit facilities in the west and south of the country remain the greatest challenges to direct assistance.

In response to the poor conditions at the Qanfouda detention facility in Benghazi, where numbers have now swollen as a result of transfers from Kufra, LibAid and other humanitarian actors have undertaken refurbishments and provided non-food items as well as improved the provision of health services in attempts to address the growing needs.

The deteriorating security situation in Syria has led to an influx of refugees entering Libya via the Egyptian border. At the Salloum border crossing, the Office of the United Nations High Commissioner for Refugees (UNHCR) has provided stranded Syrians with more than 4,000 meals, while IOM has been providing support in the form of medical treatment and some non-food items. Within Libya, UNHCR is assisting local support organizations in their efforts to cope with new arrivals through technical assistance in registration and the provision of non-food items and support for vulnerable individuals.

As anticipated in my last briefing, Deputy Prime Minister Mustafa Abu Shagur convened a workshop on 30 and 31 January to discuss the coordination of international assistance, bringing Libyan ministries, institutions and civil society organizations together with international partners. The workshop was an effort to synchronize coordinated offers of external support with the Government's urgent priority planning. It served to identify needs and opportunities for support in the five areas of social services delivery: public administration, transitional justice, civil society, media and Government strategic communications. The Government is close to presenting its national plan to the international community and to putting in place coordination arrangements to follow up on international offers of support, involving the Prime Minister's Office and the Ministry of Planning, supported by UNSMIL, the European Union and the World Bank.

When I have the opportunity to address the Council again next week, I will, of course, update members on significant developments in any of those areas, although I will mainly be presenting the Secretary-General's proposals for the role of UNSMIL for the period ahead. Alongside our major engagements during this period with the Government in Tripoli and our work in integrated mission planning, I have, since my last briefing, visited three more of the cities most affected during the fighting — Sirte, Brega and Ajdabiya. I have also held discussions with the local council and civil society representatives — many of them young people and women — in Benghazi. Such visits make clear the extent of the need for reconstruction, service delivery and the clearance of mines and remnants of war.

But an equally strong impression is given by the extraordinary show of civic responsibility and initiative, which has led local people to set to work immediately — without waiting for assistance from central Government or international actors — to resume as much of the elements of normal life as possible. Along with that sense of responsibility of local leaders goes the determination of civil society to play its own role and to hold any future leadership to account. Such attributes inspire not just hope but confidence that Libya will overcome its legacy and its

current difficulties, and will pursue the path towards the goals to which it recommitted itself on 17 February.

The President (*spoke in French*): I thank Mr. Martin for his briefing.

I now give the floor to Ambassador José Filipe Moraes Cabral.

Mr. Moraes Cabral (Portugal): In accordance with paragraph 24(e) of Security Council resolution 1970 (2011), of 26 February 2011, I have the honour to report to the Security Council on the work of the Committee established by the same resolution. The report covers the period from 23 December 2011 to 29 February 2012.

I would like to begin by noting that two important documents are before the Committee. The first is a working document put together by the Panel of Experts and reflecting the contributions of the Panel, the Counter-Terrorism Executive Directorate, the International Civil Aviation Organization, the United Nations Support Mission in Libya, the Office for Disarmament Affairs, the Organization for the Prohibition of Chemical Weapons and the International Atomic Energy Agency, on the threats and challenges of arms proliferation from Libya to the region. The second is a final report by the Panel on its monitoring of the implementation of the relevant measures, including the arms embargo, the travel ban and the asset freeze.

The working document is currently under the consideration and review of the Committee and will form the basis for the Committee's report to the Council pursuant to paragraph 5 of resolution 2017 (2011). The Panel's final report, which was submitted to the Council on 18 February pursuant to paragraph 24 (d) of resolution 1973 (2011), will be discussed during the Committee's next informal consultations on 5 March.

During the reporting period the Committee met once in informal consultations, on 9 February. Members of the Committee received from the Chair an unofficial compilation of the arms embargo and asset freeze notifications and exemption requests that had by that time been processed in the Committee. As of 9 February, the Committee had processed a total of 31 notifications or exemption requests concerning the arms embargo and a total of 151 notifications or exemption requests concerning the asset freeze.

Since my last periodic report (see S/PV.6698), in connection with the arms embargo, the Committee has approved one request for an exception to that measure under paragraph 9 (a) of resolution 1970 (2011). The Committee has also expressed no objection to a second request that invoked paragraph 9 (c) of the resolution. Furthermore, no negative decision was taken by the Committee in relation to 10 notifications under paragraph 13 of resolution 2009 (2011), which allows a supply of arms and related materiel of all types intended solely for security or disarmament assistance to the Libyan authorities.

With respect to the asset freeze, no negative decision was taken by the Committee in relation to one notification under the basic expenses provision set out in paragraph 19 (a) of resolution 1970 (2011) and two notifications under paragraph 16 of resolution 2009 (2011). Members of the Council will recall that the latter paragraph provides for the unfreezing of funds for various additional purposes. Moreover, in four cases, the relevant Member State was informed that the entity to which the funds belonged had already been de-listed by the Committee. Therefore, the submission of notifications or exemption requests did not apply in relation to that entity.

Also on 9 February, members of the Committee discussed several requests for guidance or assistance received from Member States that related to the status of the subsidiaries of the two remaining listed entities — the Libyan Investment Authority and the Libyan Africa Investment Portfolio. They noted that entities owned or controlled, either wholly or partially, by the Investment Authority or the Investment Portfolio are not subject to the asset freeze measure. At present, in response to the requests for guidance, the Committee is preparing a general notice, to be disseminated to all Member States and posted on the Committee's website, on the proper application of the asset freeze measure.

Furthermore, members of the Committee received an update from the Panel of Experts, via videoconference, on the preparation of the working document that I referred to earlier, that is, concerning threats and challenges of arms proliferation. As I also stated earlier, that document is now under the consideration of the Committee and will be submitted to the Council shortly. The Committee also looks forward to discussing the Panel's final report under resolution 1973 (2011), and is pleased to note that all

countries that the Panel approached for a possible visit have responded positively.

Finally, at the request of the relevant Libyan authorities, the Committee amended an entry to its list of individuals and entities designated as subject to the travel ban and/or asset freeze.

I would like to conclude by noting that, to date, the Committee has received reports from 55 Member States on their implementation of the relevant measures.

The President (*spoke in French*): I now give the floor to the representative of Libya.

Mr. Shalgham (Libya) (*spoke in Arabic*): At the outset, I would like to express my sincere thanks to you, Mr. President, for having convened this meeting as a follow-up to developments in Libya. I would also like to thank Ambassador Moraes Cabral for his work and his response to Libya's concerns with regard to many issues under the consideration of the Security Council Committee established pursuant to resolution 1970 (2011), which he chairs. Allow me also to thank Mr. Ian Martin for his ongoing continuing efforts to cooperate with us in all fields and for his comprehensive and clear report from Tripoli.

In this very Chamber, last February, the Council adopted, first, resolution 1970 (2011) and then resolution 1973 (2011) in order to protect unarmed and innocent Libyan civilians. That effort was crowned with Libya's freedom in expression of the desire of our people to regain their sovereignty, as well as that of other Arab peoples, from Tunisia and Egypt to Libya and Yemen, where we have seen a transfer of authority, and now to Syria, which is paying with blood in the face of repression. In that country, ugly crimes against humanity and against the Syrian people who, just like the Tunisians, Egyptians and Yemenis, refuse to bow until they achieve their freedom, are being perpetrated. I thank the Council again.

Today, there is a new State in Libya. Elections, both individual and by lists, as Mr. Martin said, will take place in June. New elections will take place despite the problems, the proliferation of arms, the bloodshed and the issues that we are uncovering every day. Lists of individuals and a new constitution will be drawn up. The upcoming elections do not seek to establish a Government or a parliament. The elections will lead to the drafting of a constitution for a new and democratic civil State, where there is the rule of law — a State of peace and development for the well-being of Libyans.

On 21 February 2011, Muammar Al-Qadhafi said that we would hand out weapons and set Libya ablaze. That happened. The vehicles of the Al-Qadhafi regime were in the street, distributing weapons for people to kill each other. Millions and millions of dollars and dinars were handed out and people were turned against each other. However, the awareness, enthusiasm and solidarity of the Libyan people enabled us to overcome very many problems.

We again thank the United Nations in the person of Mr. Ian Martin, who is making so many efforts to help us. However, we need more assistance from the international community. Tens of thousands are entering Libya from the southern Sahara every day. Some leaders of the Al-Qadhafi regime are now in various other States — Tunisia, Egypt, Algeria, Chad, Mali and the Niger. We know that some of them are plotting. In the past few days, a number of armed cells have been detained. They were plotting to sabotage and bomb Tripoli. Al-Qadhafi agents are sending funds to Libya for acts of sabotage. I appeal to those States to cooperate with us. I sent to the Council, under the presidency of South Africa, as well as to Mr. Moreno-Ocampo at the International Criminal Court, a flash drive containing recordings of telephone calls during which Mr. Baghdadi Ali Al-Mahmoudi personally gave instructions for such actions. He is now in Tunisia. There are also other people wanted by INTERPOL residing in other States. Those persons must be brought to justice. They are a danger to my country.

We are working to convene a meeting among the countries of the Sahel and North Africa to agree a unified strategy to combat terrorism in the Sahara. Libya is the first victim of the absence of the State, and we appeal to the Council to help us with funds. We need our frozen assets to be released.

With regard to those funds, we are working towards transparency. We now have a committee for transparency in Libya. We have dozens of free newspapers that are speaking out every day. There are television stations working transparently every day.

Transitional justice measures are being adopted, and those bodies have begun working. There has been much talk about detention centres and torture. However, the transitional Government has detained a number of former ministers and senior officials. They

have been given every possible provision — health care, visits, et cetera — Al-Qadhafi's second is among them, and he is able to be in contact with the outside. I have personally met with a number of detainees. They are being cared for. Mr. Abdul-Ati Al-Obeidi, the former Minister for Foreign Affairs, like others, is being visited by his family and others.

However, let me say that there are areas where the State has not been able to gain control. There are no police or courts in those areas. We cannot be responsible for all excesses everywhere. We are against such acts and we hold their perpetrators responsible.

We need the United Nations to help us to ensure the success of the elections in June, which will serve as the foundation for a democratic and modern Libya based on equality and where the rights of women are protected. The role of women is a major component of proportional representation. We need a "zebra" list of candidates — a list of six alternating male-female candidates — so that we can ensure proper representation for women in Libya, who make up more than 50 per cent of our population.

Let me reassure the Council that we are working seriously and actively for a State of democracy and freedom to replace the regime that the Libyan people uprooted at the price of their blood.

The President (*spoke in French*): There are no further speakers inscribed on my list.

I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 11.05 a.m.